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Integration of Italians in the Late Republic and Julio-Claudian Principate

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by

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ABSTRACT

Integration of Italians in the Late Republic and Julio-Claudian Principate

by

Delbert James Conrad

The Social War (90-88 BCE) was perhaps the most destructive conflict to occur in Italy besides Hannibal's invasion one hundred years earlier. H. Mouritsen has criticized scholarship about the Social War for reproducing an understanding of the reasons and results of that war constructed from a nineteenth-century nationalist perspective, and for accepting uncritically the narrative of the first-century CE historian Appian, the only intact narrative of the war to survive from antiquity. I attempt to address these critiques by employing twenty-first-century models of nations and nation-state formation as comparative material for the political and social changes that occurred in Italy during and after the Social War, and make an argument that the foundation narratives of the second half of the first century BCE can provide evidence for contemporary ideas about Rome's Italian allies and their place in Rome's government and empire.

This dissertation is divided into two parts of two chapters each. The first part discusses the idea of "Italy" and its development over time, both geographically and politically, and introduces Kymlicka's model of the nation-building state as a comparative model to judge Roman Italy against. I support this comparative model with Smith's criticisms of "modernist" nationalist thought, *i.e*. the position that the nation is inherently modern. The second part consists of a reading of three foundation narratives, those of Cicero, Livy, and Ovid. I read these foundation narratives as justifications of their contemporary political circumstances. I also examine the poetry of Propertius, and argu

ethat Propertius does not portray a regional, Umbrian identity as an alternative to a Roman or Italian identity. I conclude that the nation-building institutions of Roman Italy reached their developed forms during the rule of Augustus, that Italian identity formed in this same period, and that the three foundation narratives are evidence for that Italian identity in a developmental phase.

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ABBREVIATIONS

CAH[2]	*Cambridge Ancient History*, 2nd edition
CIL	*Corpus Inscriptionum Latinarum*
OCD[3]	*Oxford Classical Dictionary*, 3rd edition
OLD	*Oxford Latin Dictionary*
App.	Appian,
BC	*Civil Wars*
Caes.	Caesar
B Civ.	*Civil War*
Cic.	Cicero
Att.	*Letters to Atticus*
Balb.	*For Balbus*
Div.	*On Divination*
Div. Caec.	*Divinatio against Q. Caecilius*
Fam.	*Letters to his Friends*
Leg.	*Laws*
Phil.	*Phillipics*
Q fr.	*Letters to Quintus*
Rep.	*Republic*
Verr.	*Against Verres*
Diod. Sic.	Diodorus Siculus
Dion. Hal.	Dionysius of Halicarnasus
Ant. Rom.	*Roman Antiquities*
Ovid	Ovid
Met.	*Metomorphoses*
Plin.	Piny the Elder,
HN	*Natural History*
Plut.	Plutarch
Caes.	*Caesar*
Cam.	*Camillus*
Quaes. Rom.	*Roman Questions*
Sull.	*Sulla*
Polyb.	Polybius
Prop.	Propertius
PS	Pseudo-Skylax
RG	*Res Gestae*
Rhet. Her.	*Rhetorica ad Herennium*

Sall.	Sallust,
Cat.	*The Catilinarian Conspiracy*
Suet.	Suetonius
Aug.	*Augustus*
Tib.	*Tiberius*
Tac.	Tacitus
Hist.	*Histories*
Ann.	*Annals*
Verg.	Virgil
G.	*Georgics*

Introduction

The document published as *Corpus Inscriptionum Latinarum* 13.1668 is in different ways the beginning and end of my project, and a touchstone to which I return often in the following pages. It seems to be a verbatim record, very nearly complete, of a speech that the Roman emperor Claudius delivered to the Senate at Rome in 48 CE. It is interesting in all kinds of ways; a version of this speech also exists in Tacitus, *Annales*, 11.24, providing a rare opportunity to examine how an ancient historian put actual speeches to use in their histories, it provides insight into the character of the emperor Claudius, it preserves some unfamiliar traditions of Rome's legendary past. Especially, it presents a characterization of the Roman world in the middle of the first century CE. Claudius asks the Senate to consider Roman citizens of the provinces of Gaul and whether they may be helpful in the administration of the Roman empire so far administered by Italians. Whether that characterization is true is another question; what we are looking for at this moment is how Claudius represented the Senate to itself. Claudius characterizes the Senate as populated by Italians. The point of Claudius' argument is that it is no longer appropriate for the Senate to be Italian; provincials, namely the Gauls, should be included in government as well. In the event, the Senate conceded to Claudius the point and admitted Gauls to its ranks, ending a period of about 150 years in which it was possible to describe the Senate as in some way "Italian."

That period began with the settlement of the Social War, the war between Rome and some of her Italian allies during the years 91-88 BCE. The conclusion of the Social War brought a sudden and drastic reformulation of the Roman state. Rome had been a city-state, if indeed a large one, governing Italy largely through a system of treaties that extended various rights and recognitions to different communities in the Italian peninsula, and became

a territorial state consisting of the peninsula between the Arno-Rubicon line in the north and the Ionian Sea in the south, politically unified in a single citizenship. The number of citizens increased suddenly and drastically, the right to run for magistracies and to participate in the Senate was extended to the elite classes of all Italian communities, the institutions of Roman government could no longer exclude the interests of Italians from their concerns. This expanded, territorial state, centered at Rome but concerned with more than Rome's direct interests, was the setting for the great civil conflicts that lead to the establishment of the Julio-Claudian monarchy.

The Social War and its settlement are usually discussed in terms of the Romanization (to use a slightly out-dated term) and unification of Italy, with the absorption of Italian communities into Rome being thought of as the end of what Arthur Keaveney called the "Italian question." The following decades were decades of civil war in which the contradictions of the Roman system of republican government came to a head and left monarchy as the only viable form of government. That is a very schematic view of the first century BCE, but I think I am being fair to characterize the unification of Italy as an event scholars in general think happened before the crises of the end of the Republic. In my view, the conditions that allowed the emperor Claudius in 48 CE to describe the Senate as the Senate of *Italy* only began to form with the settlement of the Social War, and the "Italian question" continued to be a source of anxiety for Rome's citizens, at least a few of them, well into Augustus' tenure as *princeps* at the end of the first century BCE.

Recent Scholarship

The scholarship of the "Italian question," that is, "the causes, course and results of the Social War," has become a topic of debate itself in the last twenty years.[1] Any attempt to discuss the development of this scholarship must, I think, set itself within the frame of that debate, and so unlike some other historiographical essays that describe scholarship from the beginning of work on their subjects, I will start near the end, with Mouritsen's (1998) critique of the scholarly tradition.[2] Mouritsen's thesis is that the entire discussion of "the Italian question" since Mommsen's *Römische Geschichte* (1854) has described the events of and around the Social War as "a long gradual convergence of Italians and Romans," and this model is "a specifically nineteenth-century interpretation" which emerged from the nationalism of a unifying Germany.[3] Mommsen, in Mouritsen's reading, supposes that the claim to political equality of Rome's Italian allies is the necessary product of an already emerged Italian nation. Despite rejection of some specific claims of Mommsen's model, later scholars still reproduce the structure of that nationalist argument. "No real alternative to Mommsen's model has yet been established despite its age and now obvious anachronisms. Later interpretations have all remained within the Mommsenian framework…."[4]

While it may not be necessary or desirable to mark off the entire tradition of scholarship on the Italian question as the product of a nationalist nineteenth-century view of history,

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[1] A. Keaveney, *Rome and the Unification of Italy*, 2nd ed., (Bristol: Phoenix Press, 2005) p. xix.

[2] H. Mouritsen, *Italian Unification: A Study in Ancient and Modern Historiography,* (London: Institute of Classical Studies, 1998).

[3] p. 2, 24.

[4] p. 35. Mouritsen's historiographical critique comprises the first part of his first chapter, pp. 23-37.

Mouritsen's critique of the position he sees in earlier scholarship seems to be an era-defining point. With that in mind, I briefly set out here as best I can the consensus and chief debates of the scholarship against which Mouritsen reacts. I will not trace this line of scholarship back to its supposed nineteenth-century Germanic roots; trying to do so would needlessly reproduce Mouritsen's bibliography and contribute little to framing the questions of this dissertation.

Relatively recent scholarly contributions to what Mouritsen calls the "Mommsenian framework" agree on a general sketch of the events leading to the Social War and the integration of the Italian peoples into Roman government. Mommsen's account of the causes and settlement of the Social War runs as follows.[5] Italian elites in the period after the Pyrrhic War (280-275 BCE) accepted Roman political domination of the Italian peninsula, for which they gained a share of profits from Rome's provinces, and in the provinces shared the protections and privileges extended to Rome's citizens. Over time, Roman governance became increasingly difficult to bear: protections from military law were extended to Romans, but not to the Italians who served in Rome's armies with them, military demands on Italian communities became heavier, even private Roman citizens executed Italians with impunity. The tradition of extending Roman citizenship to Italian communities fell into disuse, and individual paths to citizenship and thereby legal protections became more restricted. The position of the Italians became more similar to that of the ruled provincials than to that of the ruling Romans. The Italians found an opportunity to press their case in the revolutionary disturbances of the two Gracchi brothers, among others, in the late second

[5] T. Mommsen, "The Revolt of the Italians and the Sulpician Revolution," in *The History of Rome*, vol. 3, trans. Dickson (London: Richard Bentley, 1863), pp. 226-271.

century BCE, but their appeal to Rome's popular radicals set the establishment firmly against them. When their last aristocratic champion Marcus Livus Drusus found the wrong end of an assassin's knife in 91 BCE, Italian hopes for equality also died. Mommsen thought the options left for the Italians were to destroy Rome or to force Rome to concede the citizenship; to accept continued Roman domination was both undesirable and dangerous.[6] The revolt, when it finally occurred, aimed not at equality with Rome, but to replace it with what Mommsen judged to be a copy of the Roman state, just as (in Mommsen's opinion) the rebel Italian coinage of the period was a copy of Roman coinage.[7] Nevertheless, the revolt did force Rome to concede the citizenship to its loyal, or at least undecided, allies, and later under the dictator Sulla's reorganization (c. 79 BCE) the whole of Italy south of the Rubicon became absorbed into the Roman state.[8] "Italy was a single civic community and the civic territory reached from the Arnus and Rubico down to the Sicilian straits…."[9] Absorption into the Roman state went hand-in-hand with the spread of Latin and the imposition of Roman as the only acceptable nationality for the extended citizen body.[10]

Within this generally accepted skeleton of a narrative, scholars have found several of points of contention. One of the most central for this study, and perhaps for students of the "Italian question" generally, is to what extent the desire for Roman citizenship penetrated the various strata of allied Italian society, and linked with this, from what circumstances such

[6] p. 233.

[7] p. 238.

[8] pp. 367-368.

[9] p. 375.

[10] p. 421.

desire originated. Gabba, in an essay originally published in 1954, argued that the allied demand for citizenship was the demand of the "allied upper classes."[11] Gabba argued that in both the eastern and western Mediterranean Italian businessmen – *negotiatores* – built trading monopolies that propelled the Italian commercial class to prominence in their own communities and imposed on them the necessity of access to Roman policy decisions; it was out of need to protect their commercial interests that Italians sought Roman citizenship. In addition, the apparent equality Italians and Romans shared in the provinces must, in Gabba's view, have presented a disturbing contrast to the disregard Romans showed to Italian concerns domestically.[12]

P. A. Brunt (1965) accepted much of the final situation of the Italians vis-à-vis Rome that Gabba described, though he rejected the growing influence of the *negotiatores* as the cause. Brunt found little evidence that commercial interests inspired Roman foreign policy in the period between the Social War and Augustus, and little evidence that the commercial class pushed for commerce-minded policy.[13] Brunt saw the Italian economy as still driven by agriculture rather than trade, and so agrarian concerns would have governed the political choices of Italy's *principes*. Instead, the military contributions Rome required of its allies

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[11] E. Gabba, "The Origins of the Social War and Roman Politics After 98 BCE" in *Republican Rome, the Army, and the Allies*, trans. P. J. Cuff, (Berkeley: University of California Press, 1976), pp. 70-130. This essay was originally published in *Athenaeum* N. S. 32 (1954), pp., 41-114: 293-345. Gabba uses the term "allied upper classes" on page 75.

[12] pp. 76.-77

[13] P. A. Brunt, *The Fall of the Roman Republic and Related Essays*, (Oxford: The Clarendon Press, 1988), p. 191. The two essays from this volume referenced here are "Italian Aims at the Time of the Social War," pp. 93-143, originally published in *The Journal of Roman Studies* 1965, and "The Equites in the Late Republic," pp. 144-193. also published in 1965, in the *Proceedings of the Second International Conference on Economic History.*

placed burdens both on the manpower available to the wealthy Italian landowner for working his land and on the collective purse of the same class, which Rome had required to fund the Italian contingents that participated in Rome's military adventures. The change in the intensity for the Italian *principes'* desire for equality with Rome was, in Brunt's view, the result of the Cimbric invasion of Italy at the end of the second century BCE.[14] For several years between 113 and 101 BCE, a coalition of Germanic tribes threatened to cross the Alps and invade Italy. This migrating horde defeated Roman armies in 112 BCE, 109 BCE, and 105 BCE, when at Arausio the Germanic tribes destroyed two Roman armies. In this crisis, in 107 BCE, a Roman from Arpinum of no outstanding background, Marius, was the first of his family to reach the consulship, and was elected an unprecedented five more times between 104 and 100 BCE. During this period he defeated the invading tribes and became the most respected man in Roman politics. His home town had only received the Roman citizenship in 188 BCE. Brunt suggested that he must have become a model of success to which Italian elites hoped their children might aspire.

Regional studies also posit a largely aristocratic, economic force compelling Italian action in the period of the Social War. Salmon (1967), in his study of Samnium, joined Gabba and Brunt in the view that economic concerns drove Italians, including the Samnites, to seek equal participation in Roman government, though for Salmon the concern was not for trade or for military contributions, but exactly protection against land commissions such as that set up by the Gracchi in the last third of the second century BCE.[15] Likewise, Harris

[14] pp. 125-129.

[15] E. T. Salmon, *Samnium and the Samnites*, (Cambridge: Cambridge University Press, 1967), pp. 338-339.

(1971) in his study of Etruria and Umbria considered the issue to be redistribution of the *ager publicus* or publicly owned land, including that bit of it held at the time by Etruscans.[16]

Keaveney (1987) broke from the aristocratic economic interests other authors relied on to explain Italian actions around the Social War for a more explicitly "national" explanation. It was not simply the *principes* of the Italians that had an interest in equality with and representation at Rome, but also the allied infantrymen. Keaveney argued that, just as Italian *negotiatores* sought Roman accommodation for their interests in the provinces, the interests of the Italian soldiers serving Rome in the provinces, under Roman discipline, inspired them to seek treatment equal to their Roman comrades-in-arms. "Thus, I would argue that up to a point the Italian peasant was aware of what it was he was fighting for… the common man would share his lord's belief that he laboured under a burden of disabilities."[17] Nevertheless, Keaveney wished to stress the role of the Italian noble in actual decisions of policy.[18] But beyond economics and individual rights, Keaveney found sympathy for an Italy and an Italian identity across divisions of class. "[Rome] had taught them that they owed an allegiance to an entity known as Italy. As Italians they could no longer brook her overlordship of Italy."[19] David (1996), a decade after Keaveney, also asserted that military obligations and the damage land commissions could do to the interests of Italian nobles drove Italians to agitate for the citizenship, but most critical to Italian motivation was a sense of

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[16] W. V. Harris, *Rome in Etruria and Umbria*, (Oxford: The Clarendon Press, 1971), p. 224.

[17] Keaveney, p. 14. The first edition of this book was published in 1987.

[18] pp. 17-18.

[19] p. 35.

justice that demanded a share of the empire Italians had built in concert with Romans, and a share of the government from which they felt excluded. In David's view, the Social War preceded rapid and enthusiastic assimilation of the Italian communities to Roman *municipia* – Roman communities geographically removed from Rome – and incorporation into the Roman state.[20]

A second point in the "Italian question" that has caused a fair bit of comment among scholars is when the question ceased to be an issue. On this point Mommsen was ambiguous. He clearly saw the conversion of independent Italian settlements into Roman *municipia* as the point at which Italians ceased to exist as separate from Rome, but whether the plan for wide-spread municipalization (for lack of a better term) was a plan that originated with the passage of the Julian law in 91 BCE, the aborted census of 86 BCE, or Sulla's dictatorship in 82 BCE, he was not able to determine. Keaveney perhaps most boldly pinned the end of the "Italian question" on Sulla's confirmation of the Italians' situation during his period of rule: "In the event those who chose Sulla chose wisely…. Henceforth, Italians were to be Romans and they gladly accepted it should be so. The Italian question, which has been the subject of this book, was now dead."[21] Syme, writing in the late 1930s, famously posited that popular participation in Roman politics – or indeed any politics – was an illusion, and considered Italians to be integrated into the Roman state not simply with the municipalization of Italian communities, but with the Italian penetration of the ranks of the Senate in large numbers

[20] J-M. David, *The Roman Conquest of Italy*, trans. Antonia Nevill (Cambridge: Harvard University Press, 1996), pp. 140-155.

[21] Keaveney, pp. 205-206. But see his comments in the forward to his second edition, discussed below.

under Julius Caesar, and the consolidation of their new position under Augustus.[22] Gabba asserted as a fact that Italian integration into Roman society occurred before Sulla's return from the East in 82 BCE: "My point [that Sulla and Caesar merely assisted a historically inevitable process of Italian assimilation to Rome] is proved *inter alia* by the fact that the *novi cives* did not wait for Sulla to take the initiative before they assumed their place in Roman life."

Whether it is the case that, as Mouritsen claims, these studies and studies like them are trapped in a nineteenth-century German frame, there does seem to be a sort of clustering of ideas. It may be argued whether the drive for participation in Roman government arose from the Italian merchants or the land-holding aristocracy, but it was a desire for participation in Roman government. The Italians might have achieved their settlement before Sulla or as late as Caesar, but the settlement was achieved. The result, an Italian peninsula unified in a single inclusive government, feels inevitable. Mouritsen, in addition to his critique, offers another interpretation. The "Mommsenian" tradition relies on sources, most importantly the histories of Appian, written in a time when Roman citizenship had already been extended to the Italian peninsula and was recognized as a privileging possession. Mouritsen rejects a "universal desire for Roman citizenship," believing it to be the most important mistaken

[22] R. Syme, *The Roman Revolution*, (Oxford: Oxford University Press, 1939), p. 7, "In all ages, whatever the form and name of government, be it monarchy, republic, or democracy, an oligarchy lurks behind the facade..."; p. 286, "Though the whole land was enfranchised after the *Bellum Italicum*, it had not coalesced in sentiment with the victorious city to form a nation…"; *Roman Papers* vol. 1, ed. E. Badian, (Oxford: The Clarendon Press, 1979), pp. 91-92, "Under the Principate of Augustus, Italy emerges into history as a unit with a common language, sentiments, and institutions, not quite a nation in the modern sense…, but still something that may with convenience and propriety be termed a nation, if only to show how different Italy had been two generations earlier."

assumption contributing to the traditional narrative of the causes of the Social War.[23] The result of the war, *i.e*. the enfranchisement of the Italian allies, thus need not have a direct connection to the war's causes. Even the death of Drusus and the failure of his legislative program, including his citizenship law that would have enfranchised the Italians, was unlikely to be a cause of the revolt at all.[24] The Italian demand was for the creation of a federal state in which all communities had representation that would have negated Rome as a centralizing power in the Italian peninsula. The Italian state the rebels did set up during the war was not, as Mommsen claimed, a mere copy of Rome but federal alternative to Roman control.[25] The absorption of the Italian communities into the Roman state at the end of the Social War was not Rome conceding deserved equality to abused allies, but a means for Rome to control allies that proved uncontrollable by Rome's traditional treaty system.[26] Nor was the inclusion of Italians uniform; Latin allies, who remained loyal to Rome during the Social War, might have earned Rome's concession of the citizenship, while Rome imposed the citizenship on the rebel allies. Some Italian communities who had remained loyal to Rome also received the Roman citizenship as part of the reorganization of Italy Rome accomplished after the Social War.[27] No point marks a clear end to the "Italian question"; Italian populations faded into the Roman state gradually.[28]

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[23] H. Mouritsen, *Italian Unification: A Study in Ancient & Modern Historiography*, (London: Institute of Classical Studies, 1998), p. 127.

[24] pp. 129-131.

[25] pp. 139-140.

[26] p. 162.

[27] p. 167.

[28] p. 174.

Keaveney took the opportunity of the publication of the second edition of his book in 2005 to respond to Mouritsen's criticisms.[29] He did not reject the charge of being thoroughly infected with a nineteenth-century German nationalist world view, but embraced it on the grounds that Mommsen's personal experience enhanced the historian's appreciation of the period he studied. He also rejected along the same grounds Mouritsen's criticism that Appian, the only surviving ancient narrative source, was likewise trapped in the worldview of his own time (that view being that the Roman citizenship was desirable, and its extension to Rome's allies inevitable), and that Appian was more an author of literature than history anyway. Keaveney's response to this point was to remain simply unimpressed. As for Mouritsen's own conclusions, Keaveney was not coy: "I must say immediately that I believe most of his conclusions to be wrong."[30] Specifically Keaveney rejected Mouritsen's rejection of Keaveney's belief in the "diffusion" (Keaveney's word) of the desire for equality throughout Italian society, Mouritsen's claim that only Latins were meant to benefit from the citizenship laws of C. Gracchus, and that Latins played a greater roll in the events circa 91 BCE than is generally supposed. In the brief space of the preface to his second edition, Keaveney offers little argument to support his skepticism.

Despite Keaveney's being unimpressed by Mouritsen's arguments, Mouritsen did indicate some new ways of approaching the problem to which others responded. For example, in a 2000 contribution to Lomas and Herring's *The Emergence of State Identities in Italy in the First Millennium BC*, Pobjoy took as his point of departure Mouritsen's claim that ancient and modern historians have overvalued the desirability of the Roman citizenship for Italians

[29] Keaveney, pp. x-xiii contains his response to Mouritsen.

[30] p. ix.

before the Social War, with some reservations (Pobjoy, for instance, placed more faith in the ancient tradition about the war than Mouritsen did). Pobjoy judged that the vote, legal protections, and the right to run for magistracies in Rome were in fact desirable for large number of allies, but thought that these desires were compatible with a desire to separate from Rome – as Mouritsen suggests was the ultimate goal of the Italians in the Social War.[31] Recently, Dart has argued against a single cause or goal that inspired Rome's one-time allies to revolt, but rather thought the varied responses of different Italian communities to the crisis of 91 BCE reflect a diversity of objectives and that Italians of various communities found "*Italia*" to be a convenient political umbrella.[32]

Works that touch on the Social War less directly also demonstrate, if not the influence of Mouritsen, a similar line of thought. While the classic regional studies of non-Roman peoples of Italy, E. T. Salmon's *Samnium and the Samnites* (1967) and W. V. Harris' *Rome in Etruria and Umbria* (1971) emphasize the Roman impact on the Italian communities in question ("[The Samnites] were made to disappear, scattered and absorbed by the enveloping Latin flood," Salmon wrote in his conclusion),[33] the more recent authors Bradley and Scopacasa emphasize the construction of regional ethnic identities as responses to Roman encroachment against these same communities.[34] Farney has argued that ethnic difference, or

[31] M. Pobjoy, "The Emergence of State Identities in Italy in the First Millenium BC," in *The Emergence of State Identities in Italy in the First Millennium BC, e*dd. K. Lomas and E. Herring, (London: Accordia Research Institute, 2000), p. 194.

[32] C. Dart, *The Social War, 91 to 88 BCE*, (Dorchester: Henry Ling Limited, 2014).

[33] E. T. Salmon, *Samnium and the Samnites*, (Cambridge: Cambridge University Press, 1967), p. 404. Harris' book is as Roman oriented as his title suggests.

[34] G. Bradley, *Ancient Umbria: State, Culture, and Identity in Central Italy from the Iron Age to the Augustan Era*, (Oxford: Oxford University Press, 2000); R. Scopacasa, *Ancient Samnium: Settlement, Culture, and Identity between History and Archaeology*, (Oxford:

perceived, constructed and adopted ethnic difference, could be exploited for political ends within the supposedly Latin environment of late Republican Rome itself.[35] Even institutions long thought to be forces for assimilation such as the Roman army have been re-evaluated: Pfeilschifter has recently argued that rather than spreading Latinity to the allies through contact with Roman soldiers, the structure of the army isolated Rome's allies from Roman citizens and enforced differences.[36]

I am dissatisfied with two aspects of the general approach to the "Italian question" scholarship has taken so far. The first, which I find baffling, is the position scholars put themselves in with respect to nationalism. Mourtisen cites Hobsbawm, *Nations and Nationalism since 1780*, to characterize nationalist thought in the nineteenth-century as teleological, but he has little interest in engaging theories of nationalism outside of criticizing the "Mommsenian" tradition against which he was reacting.[37] Mommsen, the nineteenth-century historian responsible in Mouritsen's opinion for trapping discussion of the Social War in a nationalist frame, insisted that a unified Italy could not be called a "nation" because it lacked a representative legislature.[38] Syme later argued that it was convenient if mildly

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Oxford University Press, 2015).

[35] G. Farney, *Ethnic Identity and Aristocratic Competition in Republican Rome* (Cambridge: Cambridge University Press, 2007).

[36] R. Pfeilschifter, "The Allies in the Republican Army and the Romanization of Italy," in *Roman by Integration: Dimensions of Group Identity in Material Culture and Text,* edd. R. Roth and J. Keller, (Portsmouth: Journal of Roman Archaeology, 2007), pp. 27-42.

[37] Mouritsen, p. 32.

[38] Mommsen, p. 239, "[T]he great fundamental idea of the modern republican-constitutional state, viz., the expression of the sovereignty of the people by a representative assembly—that idea without which a free state would be a chaos—is wholly modern. Even the Italian polity, although it approximated to a free state in its somewhat representative Senates and in the diminished importance of the comitia, never was able either in the case of

misleading to label Augustan Italy a "nation" to differentiate it from what Italy had been before.[39] Keaveney invoked the French Revolution as supporting comparative evidence for a desire for equality with Rome pervading all Italian classes.[40] While scholars have criticized nationalist worldviews (Mouritsen) or used terminology of nationalism but distanced themselves from the usual meaning of the terms they use (Syme) while discussing the unification of Italy, they evince little interest in the theory of nation-state formation. In the present work I address nation-state formation directly, particularly the work of Kymlicka, in an effort to clarify how Italy of the first century BCE approximates a nation-state and how it fails that comparison. I find Kymlicka's model a compelling one for this project because Kymlicka is interested in how the institutions of a multi-cultural territorial state compel participation in a single political community, without an ideology that actively advocates the assimilation of one group to another: the very problem Italians and Romans faced in the first century.

The second point concerns Mouritsen's criticism that the "Mommsenian tradition" relies on imperial sources writing from a world in which the Roman citizenship was already extended to Italians and others, and seen as an objective benefit. Mouritsen categorized these as two groups: "Appian, our only source of any substance, and the remaining evidence, which consists of short excerpts and fragments, scattered references, and brief summaries."[41]

Rome or Italia to cross the boundary-line."

[39] Syme, *Roman Papers*, pp. 91-92, "Under the Principate of Augustus, Italy emerges into history as a unit with a common language, sentiments, and institutions, not quite a nation in the modern sense…, but still something that may with convenience and propriety be termed a nation, if only to show how different Italy had been two generations earlier."

[40] Keaveney, p. ix.

[41] Mouritsen, p. 5.

The second group includes Photius, Diodorus Siculus, Livy, Plutarch, Strabo, Velleius, etc. The point is Mouritsen's categories of evidence are sources that explicitly mention the Social War, in passing, in a surviving fragment, or in an intact narrative. Mouritsen read against the grain the sources to challenge the "Mommsenian tradition" effectively, in my opinion, but misses earlier sources that do not directly discuss even in passing the "Italian question." In particular, foundation narratives for a given group can develop to reflect changing political conditions of the group they describe, and can provide an insight into the political lives of the people telling these foundation narratives. The period around the end of the Republic provides a number of foundation narratives that are not yet products of an imperial Rome in which possession of Roman citizenship is a recognized benefit and a solid right of the Italian populace. The political importance of geographic terms for Italy and parts of Italy has been addressed already in 1998 (the same year Mouritsen published his critique of the historiographical tradition) by Habinek, who included in his study of the political aspects of Latin a chapter investigating the Augustan settlement of Italy in the poetry of Horace.[42] The political aspects of the *Aeneid* have been very thoroughly explored and authors like Emma Dench have put foundation narratives to use to find evidence for discussion of regional identities, and indeed have applied foundation narratives to understanding Roman identities.[43] While Dench, especially her 2005 volume, addresses similar themes, she directs her

[42] T. Habinek, "Culture Wars in the first Century B.C.E." in *The Politics of Latin Literature: Writing, Identity, and Empire in Ancient Rome,* (Princeton: Princeton University Press, 1953) pp. 88-102.

[43] E. Dench, *From Barbarians to New Men: Greek, Roman, and Modern Perceptions of the Peoples of the Central Apennines,* (Oxford: The Clarendon Press, 1995), especially chapter five; *Romulus' Asylum: Roman Identities from the Age of Alexander to the Age of Hadrian* (Oxford: Oxford University Press, 2005), especially chapter three.

comments to a period of time ranging from Alexander to Hadrian. The Late Republic figures prominently in her work, largely because of the survival of Cicero. I am directing my inquiry to a much narrower period of study: the Social War and the immediate repercussions of that war.

The Plan of the Work

If Syme had a good point when he chose to call Italy of the late first century BCE "not quite a nation in the modern sense (for the Roman people transcended the bounds of Italy) but still something that may with convenience and propriety be termed a nation, if only to show how different Italy had been two generations earlier," he said it intending something like the meaning of "nation" used in political science circles. I borrow Smith's definition of the modernist "ideal-type" nation to illustrate the sense in which I think Syme must have used the word: a human association that is territorial, legal-political, participatory, culturally homogeneous, sovereign, inter-national, and nationalist.[44] Let me explain each of these traits. A nation in this model is territorial in that it associates itself with a named, defined physical space. It is legal-political in that it seeks recognition and legitimacy. It is participatory in that all classes are engaged in the life of the nation. It is culturally homogeneous in that it perpetuates a distinct worldview and culture though a system of popular education. It is sovereign in that it exercises or aspires to exercise self-determination. It is inter-national in that it exists in a world populated by nations that recognize it as one. Finally, it is nationalist in that its members think it is its own end. It seems to be precisely the "territorial" quality Syme found lacking in first-century Italy. We might imagine, had he had access to Smith's

[44] Syme, *Roman Papers*, pp. 91-92. A. Smith, *The Antiquity of Nations*, (Cambridge: Polity Press, 2004), p. 15.

modernist ideal-type nation, Syme might also have objected that Italy lacked the "inter-national" and "nationalist" qualities.

I use Syme as the example here of a trend I remarked on earlier in this introduction; recall Keaveney's reference to the slogans of the French Revolution in his forward to his second edition. It does seem to me that Mouritsen was correct to point out a habit of scholars to refer to the "Italian question" in ways that invite, explicitly or implicitly, comparison to the modern nation state, and if Mouritsen is also right to say that scholarship has been trapped in a nineteenth-century nationalist approach to the "Italian question," one might begin on the problem by invoking twentieth- or twenty-first-century ideas of nationalism for comparative material. That may seem more palliative than remedy: if the frame is still nationalist does it matter from what century it is derived? But there are a number of models that depart from a western European model of nation that I think can help us understand and describe the situation of Italy in the first century BCE following the Social War.

Secondly, I introduce foundation narrative as evidence for different understandings of the Social War in the generation or two immediately following that war, and before the imperial worldview Mouritsen warns against became as strongly voiced as Mouritsen fears it does in Appian. The late Republic saw the production of a number of foundation narratives of the Roman state that can provide insight into the social conditions that foundation narratives explain or justify. I have chosen narratives produced as closely as possible to the Social War, and narratives that exist for the most part intact. These are the narratives of Cicero, Livy, and Ovid. I have also included Propertius. Propertius' writings do not include an extended foundation narrative; indeed the state of the text of Propertius is insecure enough that some poems may or may not contain references to foundational myths depending on which scholar

edited the text. He does provide a model of using foundational myths in discussion of his day-to-day concerns. The longest and best-known narrative, the *Aeneid*, I have set aside. Ando and Pogorzelski have argued to different degrees that Virgil's Italy, as imagined in the *Aeneid*, is a culturally and politically unified Italy even before the appearance of the Trojan ancestors of the Romans in the western Mediterranean.[45] I am well convinced by these arguments, and discuss them in the introduction to the second part below.

The main points I make in the following dissertation are these: first, that Italy as a political entity capable of encompassing all the ethnic communities of the Italian peninsula was not accomplished in the settlement of the Social War. The institutions that would enable Claudius to describe the Senate as the Senate of Italy did not fully exist until the reign of Augustus, some fifty years later. However, the idea of Italy as a politically inclusive territorial state did exist and was put into use by the Italian rebels during the Social War. Second, in the Augustan period the position of Italians in Roman society remained a source of anxiety among Romans with Italian ancestry, and this anxiety is demonstrated in their foundation narratives. Similarly Italy as a politically inclusive territorial state at least in the early Augustan period was not a fully formed idea, never mind an accomplished reality.

The first part of this dissertation deals with the idea of Italy. The first chapter traces the use of the word "Italy" in Greek and Latin from its first appearance in Herodotus (c. 450 BCE) to Claudius' speech in 48 CE. This involves the use of the word both geographically and politically: in geographic terms the name Italy encompassed more and more of the Italian

[45] C. Ando, "Virgil's Italy: Ethnography and Politics in First-Century Rome," in *Clio and the Poets: Augustan Poetry and the Traditions of Ancient Historiography*, ed. D. Levene and D. Nelis, (Leiden: Brill, 2002), pp., 123–42; R. Pogorzelski, "The 'Reassurance of Fratricide' in the *Aeneid*," *American Journal of Philology* 130 (2009), pp. 261–289.

peninsula until, about four hundred years after Herodotus applied it to just the Greek states around the instep of the Italian boot, it came to signify the whole land between the Strait of Messina and the Ionian Sea, and the Alps. I also investigate the use of the idea of "Italy" as a political tool. Such an idea of Italy may have emerged as early as the period before the Second Punic War (218-202 BCE) and seems, as we have seen in Claudius' speech, to have been internalized by 48 CE, but the story of its rise to prominence is obscure. While the definition of the term *Italy* as geography is easily traced through time until it became ossified under Augustus as meaning the entire peninsula between the Ionian Sea and the Alps, the political development of this term is harder to pin down. Some scholars, such as Williams (2001) and Brunt (1971) suppose a political community in some way deserving the name "Italy" existed from the mid-third century BCE. Others, like Pobjoy (2000), find a political "Italy" only in the first century BCE. I argue from coins struck during the Second Punic War and the Social War that "Italy" was not an idea that could compel Rome's allies to maintain their alliances against Hannibal in the Second Punic War, and that while the idea of "Italy" a century later had developed into a slogan the rebel state could deploy against Rome in the Social War, it was not yet strong enough to hold that coalition together. By the time of Augustus' war against Antony (31 BCE), however, the idea seems to have gathered some traction. I also examine political institutions with territorial limits such as the *pomerium*, the physical boundary of the city of Rome and the symbolic boundary of the Roman citizenry, and the institution of exile, which involved both the physical and political expulsion of a member from the community. I suggest it is in the period that the Roman citizenship embraced all Italy (*i.e.*, after the census of 70 BCE in which the Italian allies were enrolled

across all Roman tribes equally) that these institutions underwent significant change, because of the need to accommodate the new geography of Rome's citizen body.

In the second chapter I discuss the Roman institutions that might have contributed to the "Romanization" (to use an unfortunate term) of Italy. Scholars have long ago identified institutions such as the army that drove political and cultural assimilation and have argued about the extent of effectiveness of each institution, or of all of them. As Mouritsen argued, and we have seen above, this line of thought has a tendency to produce comparisons to modern nation-states. If tendency is the result of a failure of scholarship, I hope I can ameliorate that flaw by explicitly comparing modern ideas of nations and states to Italy, instead of reluctantly or unconsciously falling into such comparisons. In this chapter I am especially interested in Kymlicka's modern "liberal-democratic nation-building state" as a comparative model; both Kymlicka's state and first century BCE Italy have a single citizenship, a multi-ethnic population, and state institutions that drive assimilation of minority communities to the national culture. The important distinction between Kymlicka's state and Italy is the presence of a state ideology that necessitates assimilation in the modern "liberal-democratic nation-building state." Nevertheless I think Kymlicka supplies a useful model for understanding how Roman institutions operated in a multi-ethnic Italy following the Social War.

The second part of this dissertation is an analysis of three writers who engaged Rome's foundational narrative after the Social War: Cicero, Livy, Ovid. These writers put Rome's foundation narrative to use in different genres: Livy wrote a history, Ovid an historical epic or universal history, Propertius put Rome's narrative to use for the various projects in elegy. The most complicated is the narrative found in Cicero's *de Re Publica*. This is a

philosophical dialogue modeled on Plato that contains a report of a history according to the historian Cato the Elder. These writers were all born Roman citizens, and born outside the city; Livy in fact was born outside what was considered Italy. These authors have different understandings of the relationship of Italy to Rome and the role Italians played in Rome's foundational stories. The bulk of this chapter is readings of the three foundation narratives with an eye towards representations of Italians and grounds for building an inclusive political community.

Cicero and Ovid privilege Rome over Italy; for Cicero, Rome and the Roman citizenship provide the connective substance that unites the peninsula, while Ovid imagined a world comprised of Rome and the provinces, in which Italy plays little or no role. Livy, on the other hand, did find potential in Italy. Patavium (Padua), Livy's birthplace, is an alternative locus for empire; his Latins and Sabines think and speak about their relationship to Rome and the justifications for it.

The most complicated of these works is Cicero's *de Re Publica*. Despite the information we find in Cicero's letters about the composition of the *de Re Publica*, scholars have not been able to agree on the nature of the text. The source for Cicero's foundation narrative in book 2 is a matter of debate; possible candidates include Cato the elder or Cicero's friend the antiquarian Varro. The narrative is presented as drawing on Cato, but it is unclear whether the method of transmission we are meant to understand was conversation between Scipio Aemilianus and Cato directly, or whether we are meant to think Aemilianus read Cato's history and gathered his historical knowledge that way. Powell (2001), Cornell (in several contributions) and Astin (1978) address different aspects of this problem, though none I think presents a convincing reading of *de Re Publica*. I proceed chronologically from Cicero to

Livy. My reading focuses on two incidents: the Rape of the Sabine Women, and the destruction of Alba Longa. Following especially Sherwin-White (1979) and Panciera (2004) I argue that Livy presents familial connections as justification for membership in a political community, and that alliance with Rome could be equated with slavery. Finally looking at Ovid, I offer a reading of the *Metamorphoses* strongly inspired by Ando's reading of Virgil.

The final chapter is a look at Propertius' connections to Rome and Umbria, and a survey of traditions about Umbria upon which Propertius was able to draw in forming his identity as a Roman and an Umbrian in Augustan Rome. His poetry is short form elegy, sometimes apparently put to the service of Augustus, sometimes apparently in opposition to Augustus, and it contains references to legends and events rather than narrative. Propertius' text is the least secure of the authors in my selection; the text survives in such poor state that it is difficult to be sure which lines belong to which poems. He seems to demonstrate a strong emotional connection to his native Assisum (modern Assisi) and Perugia, and may allude to some alternative traditions to the narrative preserved in Livy and generally taken as canon. My argument in this chapter is that, *contra* Bradley, Umbria did not have a well defined tradition in common usage in the Augustan period, but rather the little surviving information reveals only a very vague impression compared to other Italian ethnicities like Sabines or Etruscans, and that Propertius made little use of "Umbrian" identity, but rather he possessed a local sense of place connected with his own family and personal history.

I. The Idea of Italy

In 48 CE, the emperor Claudius made a speech in the Roman Senate advocating for the admission of the Gallic elite to Roman political offices and, by implication, the Senate. This speech appears to have been preserved verbatim, inscribed in two columns on the Lyons Tablet, an inscription in bronze that enters the modern record in 1528 CE, discovered in Lyon, France.[1] The top portion of the tablet has been lost, creating *lacunae* in the beginning and middle of the speech, but otherwise the text is intact. During the course of this speech, Claudius (or perhaps a heckler) proposed two objections to this policy of inclusion: "What? Therefore an Italian senator is not preferable to a provincial one?" and "it is now the time, Tiberius Caesar Germanicus, that you reveal to the conscript fathers what your speech aims at, for you have come to the far borders of Narbonese Gaul!"[2]

Claudius' responses to these objections emphasized the Roman tradition of incorporating foreigners in government and particularly the actions of his predecessors Augustus, the first emperor, and Tiberius, Augustus' adopted son and heir, which brought worthy citizens from several provinces into the Senate. More interesting, though, is the fact that these objections could be raised at all, and that they focus on ideas of Italy, the Senate, and ethnic origin appropriate for participation in government. These comments demonstrate a concern for geography. Narbonese Gaul, the Roman province that laid roughly along the Mediterranean

[1] *CIL*. 13.1668.

[2] *CIL*. 13.1668.2.5, "*Quid ergo non Italicus senator provinciali potior est*"; 2.20-23, "*Tempus est iam Ti. Caesar Germanice detegere te patribus conscriptis quo tendat oratio tua iam enim ad extremos fines Galliae Narbonensis venisti*." Translations, unless otherwise indicated, are my own. Farney, p. 229, assumes these objecting senators are "clearly Italians." I see no reason this must be the case. These objecting senators may also have identified as Roman; there is no information we are given to determine this question. They may also be rhetorical questions Claudius poses to himself, in an effort to respond to known criticisms of his proposal.

coast of modern France and which had been a Roman possession since the Second Punic War (218-202 BCE), is more than far enough. There is a concern about access to political participation. Access to the Senate should first be the right of those native to Italy before outsiders. Paired with this is the ethnic *Italicus* in contrast to *provincialis*. These objections to Claudius' motion construct Italy in three dimensions: a geographical space (here limited by Narbonese Gaul), a political space (limited, for the elite, by access to the Senate), and an ethnic (I mean "ethnic" here as a named, self-recognizing social group with common historical memories) space (*i.e.* "Italian"). The objections to Claudius' motion suggest that in this case, each of these were congruent, at least in the minds of the objectors.

What I intend to do now is investigate the history and the meaning of the word "Italy," and set forth its uses and development. I will set out how the word "Italy" has been used to describe the geography of the peninsula between the Alps and the Ionian Sea, and how that word has been used for political purposes directed toward a state.[3] The word "Italy" first occurs with certainty in Herodotus, the 5th century Greek historian who is often called "the father of history".[4] Herodotus uses "Italy" ten times. His earliest use is in his description of

[3] The development of the geographical term "Italy" has been discussed before, of course. It is an important theme for J. Williams, *Beyond the Rubicon: Romans and Gauls in Republican Italy*, (Oxford: Oxford University Press, 2001) to understand how Cisalpine Gaul related to the rest of Italy. M. Hansen and T. Nielsen, *An Inventory of Archaic and Classical Poleis*, (Oxford: Oxford University Press, 2005) preface their chapter "Italia and Kampania" (pp. 249-320) with a survey of the ancient uses of the word geographically. Dench (2005) p. 158 rejects the line of thought that a linear progression of the term "Italy" can be shown before Roman intervention, arguing instead for conflicting traditions of "Italy" coexisting in the formative period.

[4] Hansen and Nielsen, p. 249, argue that Herodotus' predecessor Hecataeus of Miletus must have used the word "Italy," judging from a report of the sixth-century CE geographer Stephanos of Byzantium, but there is not enough context to say anything about what Hecataeus meant with it.

the tour the singer Arion was supposed to have taken in Italy and Sicily while the only specific location mentioned in either of these locations is Tarentum.[5] The remaining geographic markers Herodotus mentions in connection with "Italy" are also contained in the south of modern Italy: the river Crathis, Croton, Metapontum, Sybaris, and Siris.[6]

Map 1: Northern Italy and Southern Gaul. Ancient World Mapping Center. "À-la-carte".<http://awmc.unc.edu/awmc/applications/alacarte/> [Accessed: January 25, 20178:00 am

Herodotus does discuss other regions of the peninsula that in the twentieth and twenty-first century is called Italy, but not in association with that name. He is aware of Etruria, calling the people "Tyrrhenians," and of Umbria, calling those people "Ombrici."[7] He does not, however, associate "Italy" with these ethnonyms. Herodotus has no interest in Italy as Italy of the twentieth century beyond the Gulf of Tarentum; every geographical point he

[5] Herodotus, 1.24, "Ἰταλίην τε καὶ Σικελίην".

[6] All locations of references to "Italy" in Herodotus are 1.24, 1.145, 3.136-8, 4.15, 5.43, 6.127, and 8.62.

[7] 1.94.

provides in reference to Italy is limited to the coast around the instep of the Italian boot. Herodotus knows little besides names of places. He can describe a conflict between Sybaris and Croton, and knows something about the wealth of Sybaris, but aside from this small bit of political history, the information he provides is limited to either Greeks traveling from the east to Italy (in Herodotus' sense of the term), or Italiote Greeks traveling to Greece proper.[8] Herodotus is not alone in this position.

Map 2: Southern Italy. Ancient World Mapping Center. "À-la-carte".<http://awmc.unc.edu/awmc/applications/alacarte/> [Accessed: January 25, 20178:00 am].

Antiochus (preserved in the first-century historian Dionysius of Halicarnasus), another mid-fifth century historian, claimed that "Italy" was the land between the bay of Naples and the Scyllacian Bay.[9] Later Dionysius says "Italy," in the time of this source, referred only to the coast between Tarentum and Posidonia (modern Paestum), a fair bit south of Naples.[10] This

[8] The passages providing information about Sybaris are 5.43 and 6.127.

[9] Dion. Hal., *Ant. Rom*., 1.35.

[10] 1.73.

is a slight deviation from Herodotus' Italy, but by no means is it the Italy portrayed on modern maps. Developing the idea of Italy into a concept that embraced the totality of peninsular Italy was a project that took decades. By the second century BCE, Polybius, the second-century Greek historian, political theorist, hostage of Rome, and teacher of Scipio Aemilianus, and our in-tact source closest to the Second Punic War (218-202 BCE), could locate Rome within Italy, and began his work from "the first Roman expedition from the coast of Italy."[11] Polybius is not entirely (as we judge) correct on his geography of Italy, as he suggests Sicily's geographic relationship to Italy should be thought of as an analog of that of the Peloponnese to Greece.[12] However he has developed a notion of Italy as coterminous with the peninsula.[13] Later, Polybius discusses his geography of Italy at some length.[14] He takes a Greece-oriented approach, beginning his outline of Italy with the coast of the Ionian sea, and describes the limits of the territory from south to north. The limits of Italy, for Polybius, are the Alps down to Marseilles in the west, and the shore of the Adriatic Sea in the east. Williams (2001) argues Polybius' vision of Italy is the first one that we in the modern world would consider complete, specifically in relation to the area between the Alps and the Po.[15] A second approach to describing what for Polybius was Italy exists in the *Periplous* of Pseudo-Skylax, (PS henceforth) apparently a fourth-century BCE text.[16] As Shipley notes in

[11] Polyb., 1.5.1, "τὴν πρώτην διάβασις ἐξ Ἰταλίας Ῥωμαίων."

[12] 1.42.1.

[13] 2.1.1.

[14] 2.14 ff.

[15] Williams, p. 29.

[16] G. Shipley, *Pseudo-Skylax's Periplous: The Circumnavigation of the Inhabited World*, (Bristol: Phoenix Press, 2011), pp. 6-8 for a discussion on the date of composition.

his recent edition of the *Periplous*, PS has no name for Polybius' Italy.[17] Rather, he describes the peninsula in terms of a number of regions and peoples. That PS departs from his description of Tyrrhenia (Etruria) for a description of the islands of Corsica before continuing down the Italian coast demonstrates the lack of interest he shows in the peninsula as a territorial whole.[18] He constructs a fairly recognizable description of the various peoples of Polybius' Italy, placing Etruscans between the Alps and Rome, noting the existence of various peoples, *e.g*. Volsci, Campanians, Samnites, and especially the Greek cities of the south: Naples, Croton, Sybaris, and Thurii appear, among others. Part of the area that Herodotus called "Italy" PS refers to as "Iapygia," and in it he includes Metapontum and Tarantum. Moving up the Adriatic coast we hear of Umbrians, Celts, and Venetians.[19]

This emphasis on ethnic divisions is interesting because Cato, in his *Origines*, seems to have treated communities by ethnicity as well. The *Origines* is Cato's attempt, apparently the first, at producing a history in Latin. Of this early work of Latin prose only about eighty pages of fragments are left, and this compromises Cato's usefulness as a source. While we find references to Ligurians, Gauls, Latins, *etc*., the fragments of Cato are filtered through sources post-dating Cato.[20] For the most part, these references survive because they were of interest to people (*e.g.* the grammarian Servius) interested in Virgil and Virgil's sources, rather than as items of interest themselves. We learn very little about the spatial bounds of Italy from these fragments. "Italia" or its Greek equivalent occurs thirteen times. Many of

[17] p. 93.

[18] PS, pp. 6-7.

[19] pp. 6-18.

[20] Cato, 2.2, 12, 13 among others, in M. Chassignet's 1986 edition.

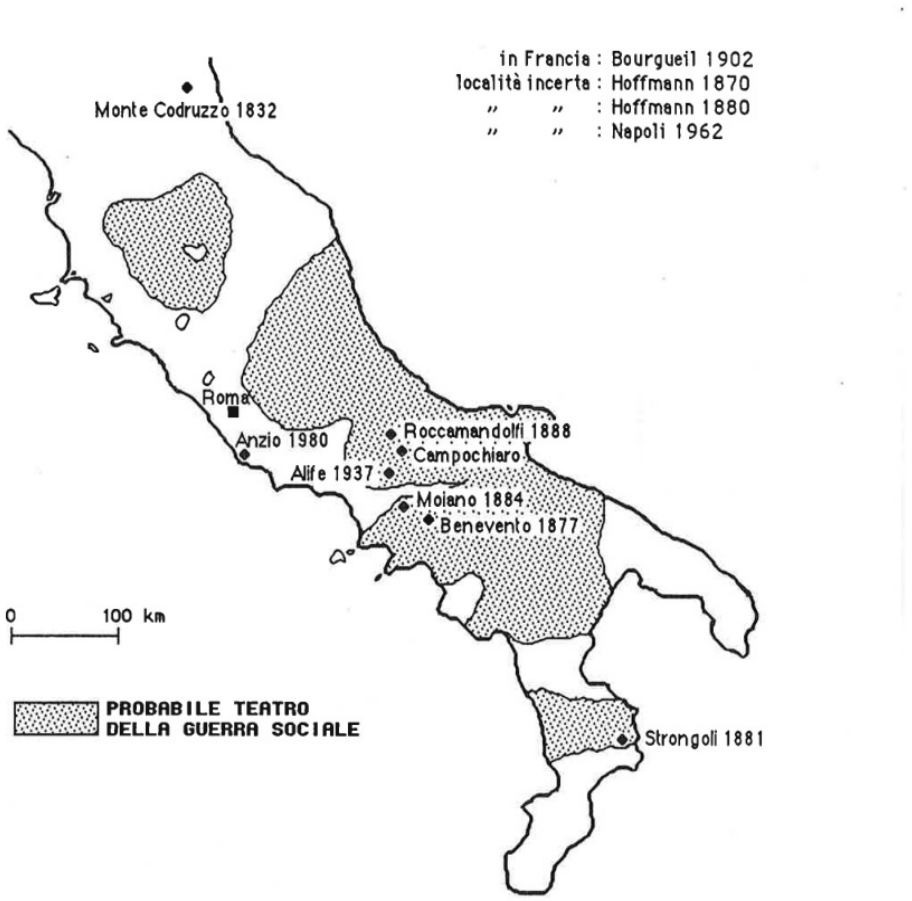
these simply employ the name without a description of space. Most of this information corroborates Virgil's account of Aeneas' experiences in Italy. Two references are interesting: fr. 2.11, and fr. 4.10. Both discuss Italy's relationship to the Alps, the first referring to "*Italiam pectore Alpium*," that is "the Italian side of the Alps," and the second to the Alps, famously as "*muri vice tuebantur Italiam*," "walls that used to guard Italy." Brunt took this passage to mean, as he take's Polybius' description also, that Cisalpine Gaul was already considered part of Italy and only later became divorced from it.[21] On the other hand Williams suggests that for Cato, the "Alpine was most importantly a construction of the mind, with interesting implications for the developing concept of 'Italia' and its relationship to Gallia."[22] When, later, Williams develops this point, he finds the term ambiguous. "Cato's claim that the Alps were the wall of Italy does not necessarily mean that Italia extended right to the Alps: a wall need not be equivalent to a boundary. On the other hand, it is an indication that he saw the Alps as a physical feature of some symbolic importance to Italia...."[23] Williams attempts to solve this problem by positing an Italy as political community that existed in tandem with Italy the geographic space.[24]

[21] P. Brunt, *Italian Man Power*, (Oxford: The Clarendon Press, 1971), p. 167.

[22] Williams, p. 56.

[23] p. 132.

[24] p. 130. Also, see Dench, (2005), pp. 168, who views Cato's inclusion of Italy and Italian subjects in the middle of Cato's book as we reconstruct it as a declaration of Roman proprietary interest in the peninsula.



Map 3: Circulation of the Social War Coinage,Campana p. 38, fig. 2. Distribuzionedei ripostiglicontenenti monete deli ribelli italici.

I am sympathetic to this approach, but with some adjustment. Williams suggests the Gallic invasion of 225 BCE, on the evidence of Polybius (2.23.12), for the first time caused Rome's allies to recognize a communal interest, rather than simply fulfilling their obligations to Rome. If this were the case, communal interest was not yet a very powerful force, since during the Second Punic War (218-202 BCE), especially after the Roman defeat at Cannae (216 BCE) about ten years later, a number of these Italians that Williams claims earlier found a common interest suddenly lost that common interest and defected to Hannibal, Carthage's great general of the Second Punic War. Polybius describes at 3.118 the surrender and defection of Greeks and parts of the Campania to Hannibal, and Livy (22.61.2) can provide a

list: Campanians, Atellani, Calatini, Hirpini, Aupliani, Bruttii, Lucanii, Uzentini, all the Greeks on the coast, Tarentines, Metapontines, Crotoniates, and Locri. While in rebellion, these people produced a number of civic coinages from local mints, particularly Capua, rather than continuing the use of Roman coins or adopting Punic coinages, despite the fact that Hannibal operated mints in Italy.[25] The re-emergence of local, civic issues of silver after a period of Roman domination of silver and gold issues suggests a need to re-assert local identities over the corporate identity demonstrated by the use of Roman coinage.[26] A century later, the ideological value of "*Italia*" had developed significantly. Starting with the outbreak of the Social War in 91 BCE, the rebelling allies (largely comprised of the same groups that joined Hannibal) issued a number of series of coins bearing the legend "Italia" in both Latin and Oscan, and established a federal capital at Corfinium, Italica.[27] Sydenham (1952) attributes the use of two languages to multiple mints in operation.[28] Campana (1987) does not disagree, but attributes the Oscan legends of series 4, 5, and 6 not to the accident of the language of the minter, but to specific authorization the confederacy granted C. Papius Mutilius to mint coins commemorating early rebel victories in Campania, while later series

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[25] E. S. G. Robinson, "Carthaginian and Other South Italian Coinages of the Second Punic War," *Numismatic Chronicle* 1964, pp. 37-64.

[26] N. K. Rutter *et al.*, edd., *Historia Numorum: Italy*, (London: The British Museum Press, 2001, p. 9.

[27] A. Campana, *La monetazione degli insorti italici durante la Guerra Sociale (91-87 a.C.)*, (Soliera: Apparuti edizioni, 1987), is the definitive die study. For a catalog, E. Sydenham, *The Coinage of the Roman Republic*, (Spink & Son, Limited: London, 1952) nos.617-643. M. Crawford, *Roman Republican Coinage*, (Cambridge: Cambridge University Press, 1975) in a fit of pedantry, excludes the rebel coins.

[28] Sydenham, p. 89.

might have been struck at Bovianum after Corfinium (Italica) fell to the Romans.[29] In this case, the language of the legend should be understood to carry some ideological value, rather than being the simple result of different mints operating in different regions speaking different languages. Pobjoy (2000) has argued that rebel *socii* (*socii* being the Italian allies of Rome) appropriated the name "Italia" precisely to signal their intent to establish a shared state in the Italian peninsula. Arguing from surviving sling shots, Pobjoy goes as far as claiming:

> The description of [Lafrenius'] soldiers on these missiles as 'Itali' suggests that they were being represented (and perhaps were representing themselves) as possessing a unified identity similar to that implied by the formation of a state called 'Italia': in other words, that besides the new state, there was also a people, perhaps a new nation, or 'ethnos'.[30]

Pobjoy relies on the use of "Italia" or some variation of it in support of a popular claim to a shared identity; an argument for which I have sympathy. However Pobjoy makes his claim too strongly. A single sling-bullet is slight evidence for a popular ideology. He is on better grounds with the coins. The minting of some fifteen series of coins, many bearing "Italia" or a variation, along with the establishment of an allied capitol and Senate, with shared officers appointed by that Senate, does seem to suggest some consistency of ideology among the elite at least. Campana, in his analysis of coin circulation, marks eight hoards of known

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[29] Campana, p. 33.

[30] M. Pobjoy, p. 191. Pobjoy later qualifies this position, p. 193, "there is no reason why we should not accept that a great many of [Italians] would have been satisfied with being granted the rights and benefits of Roman citizenship." Nevertheless, at p. 195, he insists citizenship was not the reason or object of the war; rather the reason was a real interest in establishing a new state.

provenance in Italy containing coins of the Italian rebels from the Social War. In addition, one hoard has been found in France, and three are of unknown provenance.[31] Crawford, in his catalog of Roman coin hoards, provides the numbers of coins in each, along with other issues found in the same hoard. These account for 118 specimens and some unreported number from a hoard found at Moiano (*Nsc* 1884, 224).[32] The hoard found in Bourgueil, France, is clearly an outlier. In addition to a single Social War denarius, it contains denarii dating to the late first century BCE. Campana does not plot or discuss spot finds. Removing the outlier gives us 117 coins from hoards, of which 59 have known find spots, or about 6% of the ~1000 surviving specimens.[33] On this evidence, Campana claims, "It can therefore be observed that the coinage issued by the Italian rebels circulated throughout all the area that was involved in the Social War, without doubt the result of the belligerent rebels."[34] However, of the coins of known find spots, nearly all occur in central-southern Italy: 50 at Benevento, an unknown number at Moiano. All other hoards with known find spots contain no more than two rebel coins, and all hoards contain many times the number of Roman denarii as rebel denarii, excepting Hoffmann 1880 (Crawford, *Roman Coin Hoards* #222), for which we have no provenance, and the Moiano hoard, for which numbers are not reported. For example, the Benevento hoard (Crawford*, Roman Coin Hoards* #366), contains

[31] Campana, p. 38, fig. 2.

[32] M. Crawford, *Roman Republican Coin Hoards*, (London: Royal Numismatic Society, 1969), pp. 92-99, 113, 133.

[33] Details for these hoards can be found in Crawford, and Campana, pp. 35-36.

[34] Campana, p. 37, "*Si può pertanto osservare che la monetazione emessa dai ribelli italici circolò per tutte le contrade che furono coinvolte nella Guerra Sociale, senza dubbio al seguito delle armate ribelli*."

the largest collection of rebel coins – 50 denarii. In comparison, the same hoard contains 225 Roman denarii, more than four times as much as rebel coinage. The small percentage of rebel coinage in these hoards suggests the ideology of Italia was not important for those hoarding them, and the tight clustering of the majority of coins around Benevento suggests, although they did find wide distribution, interest in them remained localized. Rebel coins in circulation circulated most close to Beneventum, near where a number of them were minted. Judging from the horde evidence, circulation dropped rapidly as coins moved away from that location. My view might be different if we had information on the find spots of the remaining 94% of the surviving specimens, but with the information currently available, the only suggestion to make is that an elite with access to at least one mint wished to publicize the idea of Italia, and that that idea did not gain wide-spread credibility.

Some literary sources support my supposition. Appian, the first-century CE Greek historian, reported that communities in both Etruria and Umbria joined the Italian coalition late.[35] These areas were both nearer to Rome than the Marsic and Samnite communities already in revolt, and (certainly in the case of Etruria) more tightly integrated into Roman political society.[36] Appian linked the grant of citizenship to the revolt of these regions as a preventative measure, and indeed Rome managed to dislodge the Etruscan communities from

[35] App., *BC*., 1.49ff.

[36] W. V. Harris, *Rome in Etruria and Umbria*, (Oxford: The Clarendon Press, 1971) is the classic study of Roman involvement in Etruria, surpassed recently especially with respect to Umbria by G. Bradley, *Ancient Umbria: State, culture, and identity in central Italy from the Iron Age to the Augustan era*, (Oxford: Oxford University Press, 2000). Roman colonization began late in the fourth century BCE in Etruria and slightly later in Umbria (Harris, pp., 147, 152). During the third and second centuries BCE Rome extended its road system through these regions (p. 161). The participation of Etruscans in Roman society, of course, extends into Rome's legendary regal period.

the Italian coalition. This is in spite of a campaign the Italians launched to secure Etruria. Appian records 5,000 Italian losses in this action. "Italia" had little ideological value for the communities of Etruria, except as a credible alternative to Roman citizenship. If Appian is to be believed, as soon as the offer of Roman citizenship reached Etruria, their interest in the establishment of an Italian state vanished.

By the end of Augustus' life (d. 14 CE), "Italia" seems to have gained some traction. The famous oath Augustus received from *tota Italia*, by the time he penned the *Res Gestae*, at least he thought ranked among his great accomplishments.[37] This oath must have been taken between 33 and 32 BCE, between the expiration of the Second Triumvirate, the power-sharing arrangement between Augustus (known as Octavian before 27 BCE),[38] Antony, and Lepidus, and the beginning of the Actium campaign (31 BCE). Although Syme (1939) recommends a healthy skepticism of claims to public loyalty in official documents, he admits "the united front was not achieved merely through intimidation."[39] Syme notes the exception Octavian granted to Antony's client cities in Italy as a motivating proof of his good will toward Italian cities in general. If Syme is right, the claim of *tota Italia* Augustus made in 14 CE is outright false and should be regarded with suspicion: in 33/32 BCE Octavian secured,

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[37] *RG*., 25 "*iuravit in mea verba tota Italia sponte sua et me be[lli] quo vici ad Actium ducem depoposcit*." Dench (2005), pp. 184 ff, notes Cicero first used the term "*tota Italia*" as a description of the desire for his recall from exile in 57 BCE. He used the term again in his *Philippics* in 43 BCE. Dench argues it is this tradition Octavian drew on in 31 BCE, but I think it is hard to show "t*ota Italia*" supported Cicero any more than "*Italia*" did the rebels of the Social War.

[38] Dealing with Augustus' change of nomenclature is always a frustrating task. In this work, I try to refer to him before 27 BCE as Octavian, and after 27 BCE as Augustus, respecting his choice of names in his life and convention, but I cannot do this consistently throughout, especially when discussing both portions of his life together.

[39] Syme, *The Roman Revolution*, p. 284.

not the loyalty of *tota Italia*, but only an *Italia* excluding communities that had commitments to his enemy Antony. That limited claim makes no sense at all given the language of the oath Augustus claimed to have received - "All Italy swore allegiance to me willingly and demanded me as leader in the war which I won at Actium." The difference between Octavian's actions *i.e.* granting exception to Antony's client cities and his claim near the end of his life to receive an oath of loyalty from *tota Italia* should be seen to represent a development of the ideology of *Italia* over Augustus' remarkably long lifetime.[40]

Along with the development of an "Italian" ideology over Augustus' lifetime came the geographical settlement of an Italy recognizable to the modern world. This settlement had two components: the inclusion of Cisalpine Gaul in Italy proper, and the division of Italy into administrative regions. Both of these occurred under Augustus. Cisalpine Gaul had close connection with Italy below the Arno-Rubicon line since the third century BCE, and some scholars such as Brunt (mentioned above) consider Cisalpine Gaul Italian from at least the second century BCE. Italy's close relationship to Cisalpine Gaul is well demonstrated by an incident of 50 BCE, in which the consul Marcellus ordered a magistrate from Comum, a community located between the Alps and the Po river (the region, Transpadane Gaul, was literally Gaul across the Po; this was a region within the province Cisalpine Gaul), and therefore a Roman citizen by a grant of Julius Caesar, flogged.[41] Cicero's sympathetic comment is illuminating: "Marcellus was horrible to the man of Comum. Even if he had not

[40] Habinek, pp.88-102, provides a very interesting discussion of Horace's use of the relationship of Italy to Rome to, for instance, privilege Roman concerns over Italian ones in the settlement of Augustus' soldiers. Habinek argues that Horace's different positions on the Italian problems of his time reflect Augustus' changing positions.

[41] Both Plut., *Caes*., 29.2 and App., *BC*., 2.26 report this incident.

held a magistracy, nevertheless he was a Transpadane."[42] Cicero's expression of disgust at the actions of the consul displays both a concern for citizens, and a concern for Transpadanes in general. While Cicero discusses this incident in moral, not legal terms (and in fact the point of Marcellus' act was to challenge the legality of Caesar's grants of citizenship), Cicero's complaint suggests the transpadane Gaul deserved treatment as a citizen regardless of legal status, at least in Cicero's mind. This is an attitude to which we will return.

Nevertheless, during the late Republic the Senate maintained a firm distinction between Italy proper and Cisalpine Gaul. Some scholars have tried to play down the importance of the Rubicon as a boundary; Trucker has a good point when he points out that no source prior to Lucan, the late first-century CE epic poet of Julius Caesar's civil war, mentions the Rubicon in connection to Caesar, except the first-century CE historian Velleius Paterculus in only the most passing fashion.[43] I think Trucker and scholars who follow him place too much weight on the absence of contemporary accounts linking Caesar to the Rubicon, though, In 43 BCE, just a year after Caesar's assassination, the Rubicon certainly was a boundary of importance. Cicero, in the context of Antony's march against Decimus Brutus, the governor of Cisalpine Gaul, calls the Rubicon by name and says it is "*finis... Galliae*"; "the limit of Gaul."[44] It is the marker beyond which Antony must not pass if he is to remain in accord with the decrees of the Senate (incidentally, Cicero has no confidence that Antony has any

[42] Cic., *Att*., 5.11.2, "*Marcellus foede in Comensi. etsi ille magistratum non gesserat, erat tamen Transpadanus.*

[43] A. Trucker, "What Actually Happened at the Rubicon?" *Historia: Zeitschrift für Alte Geschichte*, Bd. 37, H. 2 (2nd Qtr., 1988), p. 246; Vell. Pat., 2.49.4, "*ratus bellandum Caesar cum exercitu Rubiconem transiit*"; "thinking the war must be fought, Caesar crossed the Rubicon with his army."

[44] Cic., *Phil*., 6.5.

interest in abiding by such decrees at all). Cicero re-iterates the importance of Antony's returning to the Italian bank of the Rubicon in the seventh *Philippic*, where such a movement by Antony is necessary before Cicero will consider any of Antony's requests.[45] Cicero's insistence on the Rubicon as the limit of Italy makes me suspect it was not an *ad hoc* limit on Antony's movements, but rather was an important administrative boundary beyond which proconsuls exercised *imperium*.[46] The thrust of the seventh *Philippic* is to insist on war against Antony; not the territorial sanctity of the Cisalpine province. By crossing the Rubicon, Antony was challenging the authority of a Roman governor appointed by the Senate. I suggest that, rather than the Rubicon acquiring increased importance since 49 BCE, Cicero, considering the failure of negotiations with Julius Caesar, chose to advocate for a firmer policy against Antony in 43 BCE. Cicero is less concerned with Antony crossing the Rubicon *per se*, and more concerned that Antony is ignoring decrees of the Senate.

Cisalpine Gaul was promoted from a province to part of Italy proper in 42 BCE, probably as part of a ratification of Caesar's policy by the Second Triumvirate after his death.[47] This act completed the geographical unification of what people in the 21st century might consider "Italy," with the exception of the islands Sicily and Sardinia, which remained provinces. At some point during Augustus' long reign, the administration of Italy was reorganized into eleven distinct regions, which Pliny the Elder knew well enough to list not by numerical

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[45] *Phil*., 7.26, "*exercitum citra flumen Rubiconem eduxerit....*"

[46] In this I agree with Williams, p. 131.

[47] App., *BC*., 5.1.3, "τήν τε γὰρ Κελτικὴν τὴν ἐντὸς Ἄλπεων ἐδόκει Καίσαρος ἀξιοῦντος αὐτόνομον ἀφιέναι γνώμῃ τοῦ προτέρου Καίσαρος..." "for it was decided with Caesar's [Octavian's] approval that Cisalpine Gaul be independent in keeping with the motion of the elder Caesar…." An account of the history of Cisalpine Gaul and its relationship to Italy can be found in Williams, *passim*.

order, but rather by the order one encountered each region moving south down the Tyrrhenian coast, around the boot, and then north along the Adriatic.[48] Laurence (1999) suggests that Augustus organized his eleven regions primarily around roads such as the Via Appia that provided long-distance transportation. We know from Suetonius, *Aug*. 37 that Augustus appointed officers for the maintenance of Roman infrastructure including roads and aqueducts, and Laurence has gathered several titles from the second-century CE inscriptions such as *iuridici* and *curatores viarum*. For Laurence, this systematic administration of roads both solidified regional identities ("Umbrian" for instance) and regional mythologies, and allowed for what he calls "the Italianisation of Rome."[49]

Unsurprisingly, the political landscape of Rome changed over this period between the Social War (91-89 BCE) and Augustus (r. 31 BCE – 14 CE). This change in ideology was accompanied by a change in Roman political space. While administrative and legal adjustments took until the rule of Augustus to complete, politicians began adapting at least political concepts if not political institutions relatively quickly. The *pomerium* (the sacred limit of the city of Rome), the office of the tribune of the Plebs, and the institution of exile demonstrate well how Roman political space becomes confused in this period, especially in the case Cicero prosecuted in the year 70 BCE against the governor of Sicily, Verres. Verres

[48] R. Laurence, "*Tota Italia*: Naming Italy," *The Roads of Roman Italy: Mobility and Cultural Change*, (Routledge: London, 1999), pp. 162-176 provides a nice treatment. The major source for these divisions is Plin., *HN*., 3.6-3.25.

[49] pp. 173-175. We will return to roads and "italianisation" in a later chapter. See Dench, 2005, pp. 200-201 for doubts about the cultural value of Augustus' administrative regions. The importance of regions administered from Rome for my argument is not the cultural value, however, but the logistics centralized administration imposed on Italy; an analogy might be drawn between American Native-American reservations as administrative units in contrast with historically recognized homelands of the various tribes.

had been governor of Sicily for three years, during which time, Cicero alleged, he pillaged the island for art and money, and while doing so executed Roman citizens without trial.

70 BCE was an especially odd year for Rome. After settling Spartacus' slave rebellion the dictator Sulla's protegees Pompey and Crassus, who would later become Julius Caesar's political allies in the arrangement historians call the First Triumvirate, won election to the consulship and began undoing many of the reforms their one-time patron Sulla had instituted. Pompey in fact used the promise of the restoration of the tribunes' power of the veto, which Sulla had abolished, as part of his campaign for consul, and accomplished this during his term.[50] Rome also took a census in 70 BCE, enrolling for the first time in about fifteen years new citizens and doubling the count of Rome's citizens.[51] In addition, this year saw Cicero's prosecution of the corrupt governor of Sicily, Verres. The restoration of the tribunes' powers, the *pomerium*, and Cicero's case against Verres are entwined, and demonstrate that in this year at least ideas about Roman political space had changed, and "Italy" began gaining importance, rather than notions of "Rome."[52]

One central organizing principle of Roman government is the distinction between civic and military space. This distinction for Roman history before the first century BCE was marked by the *pomerium*, the sacred limit of the city of Rome, in tradition established by Romulus at the founding of the city. Within the *pomerium*, Romans recognized domestic,

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[50] App., *BC*., 1.121; Plut., *Pompey*, 22.

[51] Brunt, pp. 91-94 discusses the census of 86 BCE, in which the sources report 463,000 citizens, although Brunt discusses possible emendations to this number. Livy, *Per.,* 98 provides 900,000 as the number of citizens counted in the census of 70 BCE.

[52] This is not to dispute *e.g*. Dench (2005) pp. 175 when she emphasizes the cultural diversity of Italy in the decades following the Social War. Rather I consider the reconfiguring of civic space about 70 BCE to be inclusive of that diversity.

civic space in which arbitrary action of magistrates invested with *imperium* was limited, while beyond the *pomerium,* space became appropriate for military action against foreigners in circumstances that justified the application of unlimited and arbitrary action of magistrates holding *imperium*. Romans marked this transition from civic to military space in several ways: the Centuriate Assembly, the representation of the Roman people as an army, met for elections exclusively on the Campus Martius, outside the *pomerium;* lictors bore axes in their *fasces*, symbolizing the power of the magistrate to inflict capital punishment, only outside the *pomerium;* the *pomerium* marked the point at which pro-magisterial *imperium* dissolved; and the dead were not permitted to be buried within the *pomerium*.

Cicero's *Verrine Orations* nicely illustrate the interaction between *imperium*, the tribunician power, and the *pomerium*, while also demonstrating how the categories of domestic and military space inside Italy had begun to change after the enfranchisement of the allies in 89 BCE. A brief summary of of Verres' tenure in Sicily and Cicero's argument may be useful here. Gaius Verres served as governor of Sicily after his term as Urban Praetor of Rome in 74 BCE. He held the governorship of Sicily, Rome's oldest province, for three years, and upon his return to Rome in 70 BCE, found himself under prosecution by a young Cicero. Cicero provides much of the surviving evidence for this case. The charge is the embezzlement of 400,000 sestertii, but Cicero also recounts a number of strictly legal but morally deplorable acts such as pillaging private homes and public temples for art, seizing of inheritances and other monies, and especially the execution of Roman citizens without trial.[53] Verres, in the end, spent the remainder of his life in exile because of Cicero's prosecution.

[53] Cic., *Verr.*, 5.13ff.

For the moment, what is interesting here is Verres' treatment of Roman citizens, specifically one Gavius, whom Verres had crucified.

Gavius' case, as described by Cicero, is an especially pathetic one. Cicero reports Publius Gavius was a citizen of the Italian municipality Consa, in Campania, who encountered Verres while traveling in Sicily on business.[54] Cicero does not give Verres' reasons, but apparently the governor saw fit to throw Gavius into the stone quarries at Syracuse used as a prison. Gavius eventually escaped and fled to Messina on the north-eastern point of Sicily, where he complained about his rough treatment at the magistrate's hands. Unknown to Gavius, the citizens of Messina were conspiring with Verres, and magistrates there imprisoned Gavius again. When Verres arrived at Messina, he had Gavius charged as a spy for Sertorius (a general of Marius' party, in control of Spain at the time), bound and stripped in the forum, flogged, and finally crucified, despite Gavius' repeatedly claims of "*civis Romanus sum*."[55] Cicero's characterization of this incident is as follows:

> Sweet name of Liberty! Extraordinary right of our state! The Porcian and Sempronian Laws! The greatly desired and now returned tribunician power of the Roman Plebs! Has everything fallen in the end to this, that a Roman citizen, in a province of the Roman people, in a town of allies, by one who had fasces and axes by the favor of the Roman people, was chosen and beaten with canes in the forum?[56]

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[54] Cicero recounts Gavius' story at *Verr.*, 1.5.60 ff.

[55] 2.5.62.

[56] 2.5.63, "*O nomen dulce libertatis! O ius eximium nostrae civitatis! O lex Porcia legesque Semproniae! O graviter desiderata et aliquando reddita plebi Romanae tribunicia potestas! Hucine tandem haec omnia reciderunt, ut civis Romanus in provincia populi Romani, in oppido foederatorum, ab eo qui beneficio populi Romani fasces et secures haberet deligatus in foro virgis caederetur*?"

Cicero's reaction is interesting for several reasons. The fact that Verres' lictors carried axes in their fasces is evidence that Verres in fact had power of capital punishment in his province, which after all was the point of holding a military position. The Porcian laws are mysterious; if Sallust's account of the debate over the fate of Catiline's allies on 5 December, 63 BCE can be believed, they forbade corporal punishment of Roman citizens without trial.[57] However neither these laws nor the Sempronian law prevented Cicero in his capacity as consul from executing the Catilinarian conspirators in 63 BCE, a point Sallust is sure to have his Caesar make.

Cicero's appeal to the tribunician power is also strange. The tribunician power, the power to restrain arbitrary action of magistrates such as Verres' execution of Gavius, operated only in close proximity to Rome. Livy describes the effective area of the tribunician power as within a mile beyond the *pomerium*; this is in the context of civil disturbance and foreign attack in 460 BCE, but Livy is clear about the limits of appeal from magisterial action.[58] Caesar also confirms that the tribunician power was effective outside the city. Early in January 49 BCE, the Senate passed a decree ordering the magistrates to protect the state, what Caesar called "the final decree." In the days following the Senate met outside the city (*habetur extra urbem senatus*). Caesar notes that Pompey, proconsular governor of the

[57] Sall., *Cat*., 51.

[58] Livy, 3.20, "*neque enim provocationem esse longius ab urbe mille passum, et tribunos, si eo veniant, in alia turba Quiritium subiectos fore consulari imperio.*" "For *provocatio* does not extend further than a mile from the city, and the tribunes, if they come to that point, would be subject like the rest of the citizens to consular *imperium*." A. Lintott, *The Constitution of the Roman Republic*, (Oxford: The Clarendon Press, 1999), p. 98 n. 20 accepts the extension of *provocatio* to the first mile beyond the *pomerium* in the Late Republic, as does F. Millar, *The Emperor in the Roman World (31 BC – AD 337)*, (London: Duckworth, 1977) p. 509.

Spanish provinces and hence one with *imperium*, did not attend meetings of the Senate held in the city, but did attend these extra-mural meetings. Among the arrangements necessary to carry out the final degree was the appointment of Faustus Sulla as propraetor of Mauritania, which the tribune Philippus successfully blocked although he was exercising his power outside the city.[59]

If the tribunician power was effective in the first century beyond the *pomerium*, how far did that power extend? We have seen the Augustan historian Livy claim an effective area of a mile beyond the city limits. Beard, North, and Price (1998) have suggested that by the mid Augustan period the reach of the tribunician power had become unrestricted by geography:

> Octavian was given some of the powers of a tribune... these powers were likewise restricted to the area within the sacred boundary [*pomerium*]. Even then, however, an extra mile outside the pomerium was added to his patch; and soon, when he was given full 'tribunician power' in 23 B.C., the spacial restrictions were entirely dropped.[60]

Beard *et al*. base this extension of the tribunician power on two passages, one in Dio Cassius and one in Suetonius. Dio Cassius describes a grant to Octavian of tribunician power to the extent of four stades (about 800 meters) from the city in the wake of his victory at Actium (31 BCE); that is not too different from Livy's claim.[61] The difference is that the mile

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[59] Caes., *B Civ.*, 1.6, "*De Fausto impedit Philippus, tribunus plebis*." "On the matter of Faustus, Philippus, a tribune of the plebs, intervened."

[60] M. Beard, J. North, and S. Price, *Religions of Rome*, vol. 1, (Cambridge: Cambridge University Press, 1998), p. 179. Millar, p. 209 also accepts this story about Tiberius to be historical, if unusual.

[61] Dio Cass., 51.19.6, "καὶ τὸν Καίσαρα τήν τε ἐξουσίαν τὴν τῶν δημάρχων διὰ βίου ἔχειν, καὶ τοῖς ἐπιβοωμένοις αὐτὸν καὶ ἐντὸς τοῦ πωμηρίου καὶ ἔξω μέχρις ὀγδόου ἡμισταδίου ἀμύνειν...." "And Caesar had the authority of the tribunes for life, to defend those

extension for Dio Cassius is not a traditional prerogative of the tribunes, while Livy wishes to date that mile extension back to the 460s BCE. In any case, Dio Cassius does not on plain reading support Beard *et al*.'s contention that Octavian was granted additional space for the exercise of his tribunician power, only that Dio Cassius, writing long after Augustus, was not entirely informed about the practice, whatever the letter of the law was in the first century BCE. In addition to the problems with Suetonius and Dio Cassius, we have evidence from Julius Caesar that in the first century BCE the tribune was an effective officer outside the city.

The Suetonius passage to which Beard *et al*. refer in order to support the claim of unlimited space for the exercise of the tribunician power is also more complicated than they suggest. In 6 BCE Tiberius served as consul for the second time and received the tribunician power for a term of five years. At this point, in order to avoid rivalry with Augustus' adopted sons Gaius and Lucius, who entered public life in 6 BCE, Tiberius entered a voluntary retirement at Rhodes, where Suetonius describes a very modest life spent in the gymnasium without making use of the trappings of office, specifically lictors. The incident Beard et *al*. wish to apply to their understanding of the tribunician power and the *pomerium* in the late first century occurred shortly before Julia, Augustus' daughter and Tiberius' estranged wife, found herself banished for adultery in 2 BCE.[62] Suetonius describes the incident:

> This one thing only was remarkable, in which the exercise of the tribunician power was apparent: when he was constantly attending the schools and lecture halls of professors, a serious quarrel came up between rival speakers, someone attacked him

who called on him both within the *pomerium* and beyond it as far as four stades....”

[62] Suet., *Tib*., 9-12.

> with abuse when he intruded very zealously for the other party. He slowly went home and suddenly came out with his lictors and quickly ordering him by the voice of his herald to the tribunal, he condemned him to prison.[63]

I am inclined to think this passage also is not good evidence for a change in the scope of the tribunician power, even that of Augustus or Tiberius. Suetonius mentions two attributes of state power, lictors and a tribunal (*tribunal -alis* is the heading in the *OLD*). A tribunal could be any number of things; it is simply a raised platform. A number of magistrates could use them as a location to place their seats, to issue proclamations or judgments, or even just a raised platform for seats in Rome's temporary theaters; despite the name "tribunal," there is nothing to link this to an exercise of the tribunician power by Tiberius in Rhodes circa 2 BCE. As for the lictors, Plutarch in his *Quaestiones Romanae* makes clear that tribunes of the plebs "do not wear the dress of a magistrate, nor use the curule chair, nor are preceded by lictors," because they are not magistrates.[64] In addition to the absurdity of invoking the tribunician power to settle an academic quarrel (especially since the position of tribune of the plebs was in origin one meant to protect citizens from acts of magistrates – very much like Tiberius in this passage), the use of lictors is not something one usually associates with tribunes or the tribunician power. I suggest Tiberius executed this action under a different power. After all, nothing in Suetonius' anecdote implies the application of the tribunician

[63] 11.3, "*Unum hoc modo neque praeterea quicquam notatum est, in quo exeruisse ius tribuniciae potestatis visus sit: cum circa scholas et auditoria professorum assiduus esset, moto inter antisophistas graviore iurgio, non defuit qui eum intervenientem et quasi studiosiorem partis alterius convicio incesseret. Sensim itaque regressus domum repente cum apparitoribus prodiit citatumque pro tribunali voce praeconis conviciatorem rapi iussit in carcerem.*"

[64] Plut., *Quaes. Rom*., 81, "ἢ τὸ παράπαν οὐδ᾽ ἐστὶν ἄρχων; οὐδὲ γὰρ ῥαβδούχους ἔχουσι οὐδ᾽ ἐπὶ δίφρου καθήμενοι χρηματίζουσιν...."

power; Suetonius makes that inference himself. The role and trappings of the tribune of the plebs had already become confused by the time Plutarch wrote the *Quaestiones Romanae* (c. 96 CE), compelling him to correct the misconception in that work; when Suetonius wrote a generation later the memory of the tribunes may have become so much more confused, especially when once separate powers such as *imperium* and the tribunican power became concentrated in individuals such as Tiberius.

We have seen the tribunician power operating at close distances to Rome in the latter half of the first century BCE, and, I think, no reason to posit an expansion of the territory that power operated in under Augustus. Why, then, in 70 BCE, would Cicero make an appeal to the tribunician power in Italy as if it carried weight, and why would he characterize Verres' actions in a province in which he held *imperium* as violation of that power? We should recall here that Roman courts were not as strictly concerned with the letter of the law as modern American courts. Cicero does not claim that most of Verres' actions were illegal, but rather that they departed from precedent. Cicero states the charge plainly in his speech against Caecilius, the prelude to his speeches against Verres: the despoiling of Sicilian cities, temples, and private homes.[65] Sicilians are the plaintiffs whom Cicero represents. Crimes against Romans do not enter the question here. Cicero does mention Romans in the closing lines of his first speech against Verres, "We say that Gaius Verres did many things greedily, many things cruelly against citizens and allies, many things sinful against the gods and humans, then in addition to those things he illegally carried off four hundred thousand sestertii from Sicily."[66] But even here, the only claim of illegality is the extortion of cash.

[65] Cic., *Div. Caec*., 4.11.

[66] Cic., *Verr.*, 1.1.56, "*dicimus C. Verrem, cum multa libidinose, multa crudeliter in civis Romanos atque socios, multa in deos hominesque nefarie fecerit, tum praeterea*

Indeed, the legal but arbitrary actions of a magistrate are exactly the sort of thing from which the tribunes were meant to offer protection.[67]

In fact, Cicero sets forth his plan at the beginning of his first speech against Verres; it is not a legal argument at all, but rather one that deals with internal Roman politics. The struggle against Senatorial control of the courts was an old problem. C. Gracchus (d. 121 BCE) had transferred control of the courts from the Senate to the equites; returning control of the courts to the Senate was one of Sulla's conservative reforms, many of which had come under threat of repeal in 70 BCE during Pompey and Crassus' consulship.[68] In this context Cicero opens his prosecution of Verres with an explicitly political plea. Verres' abuses, Cicero argues, are so grotesque that if the court (of senators) does not convict him, it will crush all public trust in the judicial system. The implication is that acquittal will guarantee an attempt to remove control of the court back to the equites. In this context, the execution of Roman citizens such as Gavius has moral, if not legal force. When Cicero appeals to the tribunician power, he is appealing to a public perception of citizens' rights, not strictly legal spheres in which those rights are applicable. Cicero's invocation of the tribunician power in 70 BCE is evidence that, whatever the legal status of that power, he felt it worked as leverage in his case, and the implication is that the Roman elite would also recognize it as a powerful appeal. The elite conception of Roman political space in 70 BCE was no longer limited to within a mile of the *pomerium*. Italy (at this time excluding Cicsapline Gaul) had in some

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quadringentiens sestertium ex Sicilia contra leges abstulisse." This is the only specific charge in which *leges* are mentioned among the catalog of crimes.

[67] Livy, 3.20.

[68] For C. Gracchus' transferring courts to the *equites*, App., *BC,* 1.22, Vell. Pat., 2.3, also mentioning Sulla's restoration of the courts to the Senate.

ways come to represent the Roman political community; in 89 BCE by the Julian laws granting citizenship to the former allies, in 70 BCE by the census, enrolling a significant number of allies in the Roman tribes, and conceptually by the extension of the tribunician power to the peninsula. When dealing with the similar problem of the extension of *provocatio* to the provinces under the *lex Iulia de vi publica* of 18 BCE, Lintott offers as one possible solution that the *lex* made formal an informal custom of provincial governors respecting *provocatio*.[69] Perhaps Cicero refers to an analogous custom operative within Italy, once Italy became incorporated into the Roman state.

The change in attitude towards Italy as civic space is also evident in the Roman institution of *exilium*. Gordon Kelly's study of exile in the Roman Republic helps illustrate the change in the notions of Rome and Italy that occurred with the enfranchisement of the Italian population.[70] The institution of exile was practiced throughout the Republican period. We may note the expulsion, rather than execution, of the Tarquins in 509 BCE, and later L. Tarquinius Collatinus, as early, legendary examples of this practice, but it was certainly regularly used in the late Republic. Exile was an alternative to capital punishment for elites. The point, as Kelly argues, was to remove political opponents from the civil community without bloodshed. This removal was often enforced by a decree of forbidding the community to supply fire or water to the exile (*aquae et ignis interdictio*).[71] Kelly has

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[69] Lintott, *Imperium Romanum: Politics and Administration*, (London: Routledge, 1993) p. 177.

[70] G. Kelly, *A History of Exile in the Roman Republic*, (Cambridge: Cambridge University Press, 2006).

[71] p. 5.

constructed a catalog of exiles from 213 BCE to ~44 BCE.[72] This catalog provides some important evidence. The first exile known to Kelly to have departed Italy, rather than merely Rome, was a P. Popillius Laenas in 123 BCE.[73] Kelly records exiles living in Italy up to 69 BCE.[74] Of the exiles whose location of resettlement is known, relocation for exiles after 70 BCE was exclusively outside Italy ("Italy," in the period Kelly considers, excludes Cisalpine Gaul).[75] The exiles who left Italy before 70 BCE Kelly attributes not to legal injunction but to practical needs, such as avoiding wars. While the evidence of exiles is not decisive (many exiles in Kelly's catalog have unknown or contested places of resettlement, or unspecific dates for their exile), the year 70 BCE seems to be an important point in transition of the institution of exile from mere exclusion from the city of Rome to exclusion from the Italian peninsula.

The development of the term "Italy" as a geographic, ideological, and political concept took centuries to reach completion. We have seen that the geography of Italy was not set until 42 BCE, with the ratification of Julius Caesar's program of incorporating Cisalpine Gaul into "Italy" rather than continuing to administer it as a province. Sometime during Augustus' life Italy was organized systematically with administration derived from Rome and physically connected by extension of roads. "Italy" as an ideological goal developed during this same period. It was not effective in the second or early first centuries, but became increasingly forceful as Italy integrated geographically and administratively. Finally the

[72] pp.161-219.

[73] p. 167.

[74] pp. 169, 171, 172, 176.

[75] pp. 189-219.

extension of Roman citizenship to the entire peninsula after the Social War brought with it the extension of the rights of citizens in Rome, although no legal change authorized this. Cicero could appeal to the tribunician power in Italy because people expected it, not because law allowed it. In the first century BCE, Cicero has constructed the Roman system, including Italy (with the exception of Cisalpine Gaul) as a kind of dichotomy. "For all citizens, I think, there are two fatherlands: one of nature, and another of citizenship."[76] This position was not tenable in the first century CE. The questions about Italy and participation in the Senate raised in 48 CE and recorded on the Lyon Tablet were possible to ask because of a century of political, geographical, and administrative integration of Italy with Rome. Lines like the *pomerium* stopped carrying the traditional connotations of domestic versus foreign or civil versus military, although the *pomerium* took increased significance as a religious boundary. In the first century CE, perhaps as early as Augustus writing the words "*tota Italia*" in his final surviving document, Italy had become geographically, administratively, and politically congruent. Dench said of this Italy that it had "become an essential part of the language of traditionalism and continuity, of the political, Republican roots of Roman monarchy and empire…."[77] This is why Claudius, in his effort to include Gauls in government, had to make a case that answered the question of why Italy, not Rome, was unable to supply sufficient senators. In the following chapter we will investigate the processes and mechanisms of the cultures and governments that allowed "*duas patrias*" to become "*tota Italia*."

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[76] Cic., *Leg*., 2.5, "*omnibus municipibus duas esse censeo patrias unam naturae alteram civitatis.*" Note this is not in conflict with Cicero's statement at *Balb*. 28, "*duarum civitatum civis noster esse iure civili nemo potest,*" because in *Leg*. Cicero admits only one state of citizenship. The possibility Cicero admits, and the distinction he outlines, is the two fatherlands without implication of citizenship. It is an emotional argument.

[77] Dench (2005), p. 219.

II. Nations and Institutions of Nation-Building in Late Republican Italy

In the previous chapter I examined the development of the geography of Italy, from its use of a descriptor of the Greek states of Southern Italy in the fifth century BCE to the entire peninsula between the Alps and the Ionian Sea, formalized in 42 BCE by Octavian and the Second Triumvirate. I also looked at the term "Italy" or "Italia" as a political slogan, and I argued that while this slogan had been possible as early as the Second Punic War (218-202 BCE), and was explicitly used in the Social War (91-89 BCE), it was not an effective slogan until at least the period of Octavian's (later called Augustus) war against Marc Antony (31 BCE), and perhaps was not fully formed until Augustus wrote his *Res Gestae* near the end of his life (14 CE). In this chapter I will examine the institutions that I contend allowed the slogan "Italy" to become a cogent slogan in the Augustan period.

That Italy of the first century BCE was something approaching a nation-state in the modern sense is a fact that has long been recognized. Syme, in 1938, stated that "Under the Principate of Augustus, Italy emerges… [as] not quite a nation in the modern sense… but still something that may with convenience and propriety be termed a nation, if only to show how different Italy had been two generations earlier."[1] How closely that Italy of the first century BCE approached a modern nation-state is an open question. What previous discussions of this problem failed to do, and what I hope to address in this chapter, is to engage in the theory of the nation and nation-state with specific reference to the Italy of the time in question here. Syme, for instance, identifies "two measures, being matters of official policy…," *i.e*. the establishment of *municipia* – the towns of Italy incorporated into the Roman state, with Roman citizenship – in the aftermath of the Social War, and the inclusion in the Senate of

[1] Syme, *The Roman Papers*, vol. 1, pp. 91-92.

elites from across the Italian peninsula, that can be identified as agents effecting the production of an Italian state.[2] Syme's description is one that emphasizes assimilation to a capital and universal participation among the elite as the qualities that define a nation.

My contention in this chapter is that Italy in the first century CE was a nation, if not a long-lived one, much closer to nations in the sense of the modern nation-state, and developed through many similar institutions, not just those of the *municipia* and the Senate; and that it developed from policies instituted by the Roman government and enacted across the peninsula, without the notion of "nation" in the modern sense being the intended result or even imagined by the people instituting those policies. I make this case by drawing on the theories of nations and nationalisms advanced by Smith and Kymlicka: Smith offers a critique of the claim that the nation is a modern phenomenon, rejecting precisely the sorts of claims to modernity of the nation made by Mommsen and Syme, *e.g.* the lack of representative legislatures or the lack of territorial definition, on the grounds that indisputably modern nation-states lack these traits, and Kymlicka shows how a liberal nation-state, without an explicit ideology of assimilation, compels minority groups to assimilate through a demand for no more than the participation of individuals in the life of the state.

The Lyon Tablet (*CIL* 13.1668), I argued in the previous chapter, represents Italy as both a geographical and political space, the borders of which are coterminous. The process that produced that political geography was not simply one of Rome, as hegemon, absorbing a number of related but independent communities; rather, as Laurence argues, Rome

[2] p. 92.

underwent a process of neither "Romanisation" or "Italianisation" which changed the character of the Roman state as much as it did the character of the one-time Italian allies.[3]

I must digress here. I mentioned the term "Romanization" in my introduction, and that it was an unfortunate term to have to use (p. 19 above). It is a word that occurs often in scholarship and occurs elsewhere in the present work. Here I note Laurence using the word "Italianisation" in an almost equivalent way. Romanization is the term used to describe, according to the *OCD*[3], "the processes by which indigenous peoples incorporated into the empire acquired cultural attributes which made them appear as Romans."[4] Dench described "Romanization" as "the appropriation of Roman cultural and political motifs on the part of Italians, interpreted in the most extreme versions as a growing desire on their part to *become* Romans, and elsewhere presumed to be an indication of the magnetic power of Rome." This definition Dench, and many others including myself, finds very problematic. This definition of "Romanization" emphasizes Italian agency in the process of "Romanization"; she prefers to emphasize the agency of Rome in this process.[5] The idea is that a distinct, recognizable culture radiated out from Rome into Rome's subject territories, penetrating the subject populations to a depth which rendered them indistinguishable from Romans. MacMullen said about this "Roman civilization eventually appeared everywhere, as one single thing, so far as it was ever achieved."[6] Some problems with the concept should appear simply from the roots of the term itself. MacMullen notes its past connection with an idea of Rome as a

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[3] Laurence, pp. 173-175.

[4] M. Millett, "Romanization." *OCD*[3].

[5] Dench, (2005), p. 166.

[6] R. MacMullen, "Romanization in the Time of Augustus," (New Haven: Yale University Press, 2000), p. ix.

city "with a cultural mission": an idea no longer in vogue.[7] His issue with that old idea of Romanization is not that Rome's subject peoples came to appear Roman, but that such appearance was the result of a Roman project. Instead, MacMullen argued that Rome's subject peoples came to appear Roman because they wished to appear Roman in order to achieve admittance into a privileged class. MacMullen imagined "Romanization" as provincials, even without direction, performing "Roman" for a Roman audience in order to gain access to Roman circles of power.

MacMullen was discussing "Romanization" in the provinces: the Greek East, Africa, Spain, and Gaul. The parallels with the "Mommsenian Tradition" of the Italian question are striking, and I imagine that if Mouritsen had turned his attention to the integration of the people of Rome's provinces into the state he might have found similar failures of scholarship of provincial "Romanization" to those he did detect in his study of Italian integration. "Romanization" has also been rethought; in a recent work, Louise Revell has argued that "Romanization" was provincials performing "Roman" for their local communities to whatever extent they wanted, with little concern for Rome as a center of power.[8] Laurence, when he warns against "Italianisation," is warning against using the difficult and unclear idea of "Romanization" in reverse to suggest an influx of cultural Italians into Roman public life might overwhelm the native culture. Rather, Laurence argues for a synthesis of Roman and Italian cultures into something new. "Romanization" then, is a thoroughly difficult concept. Nevertheless it is the prevalent term for discussing processes of acculturation in the

[7] p. 136.

[8] L. Revell, *Roman Imperialism and Local Identities*, (Cambridge: Cambridge University Press, 2008).

Mediterranean of the first century BCE. I reluctantly use it for the remainder of the present work.[9]

The enfranchisement of the allies in the aftermath of the Social War made this assimilation (for lack of a better word) possible, but by itself did not accomplish the union of Italy as a geographical and political space represented by the Senate that we find in the Lyon Tablet. For instance, Appian reports that in 89 BCE the Romans did not distribute new Etruscan citizens across Rome's thirty-five voting tribes, but rather enrolled them into ten new tribes, specifically (Appian notes) to limit their ability to influence voting.[10] This method of controlling voting assemblies continued after the war. Romans enrolled (again, according to Appian) the defeated Lucanian and Samnite communities in their own tribes to suppress the effective voting power of the newly enfranchised citizens.[11] In the tribal assemblies, each tribe exercised one vote, and a majority of tribes decided whatever question was before the assembly. Concentrating certain elements of the voting populace in a few tribes limited the ability of these elements to influence elections, despite the numbers a marginalized class might bring to the polls. Appian is explicit that marginalization was the goal of enrolling Italians in this way. That arrangement of the tribal assembly only came to

[9] G. Woolf, "Romanization 2.0 and its alternatives," *Archaeological Dialogues*, 21 no., 1 (2014), pp. 45-50, and the associated articles offer a discussion of "Romanization" and the approaches scholars have taken to it in a move toward the post-colonial.

[10] App., *BC*, 1.49.

[11] 1.53. Appian does not explain what social divisions constituted new tribes, nor how many new tribes there were ("ἐς δὲ τὰς φυλὰς ὅμοια τοῖς προτυχοῦσιν ἕκαστοι κατελέγοντο" is the text; "each of them [the allies] was enrolled in tribes like those before"). However in both passages discussing enrolling Italians in tribes Appian relies on ethnics; Etruscans and Umbrians in 1.49, Lucanians and Samnites in 1.53. It seems reasonable to suspect Appian is discussing enrolling different ethnicities in their own tribes rather than municipalities.

accommodate the new citizens with equality, despite the efforts of the tribune Sulpicius (88 BCE) and the consul Cinna (87 BCE) to distribute the new citizens across the original thirty-five tribes,[12] at the earliest in 84 BCE (Livy's epitomer reports a decree of the Senate in this year giving Italians the vote), and perhaps as late as 70 BCE, during which year the census may have enrolled Italians across all the voting tribes for the first time.[13]

Michael Crawford's contribution to volume X of the *Cambridge Ancient History* (1996) describes the evidence of the Romanization (Crawford's term) of Italy including Cisalpine Gaul between 90 and 43 BCE.[14] Crawford suggests that Romanization occurred to a lesser extent than other scholars have suggested: "Contrasts between Italian communities formerly of different statuses [*e.g*. Latin, Allies] will perhaps have seemed secondary to the need to create and conserve a sense of Italian identity against the background of a rapidly changing outside world."[15] Crawford argues that the creation of an Italian identity is demonstrated by convergence of funerary practices, the inclusion of former Italian allies in the legions proper, instead of auxiliaries, the spread of Latin, and the organization of Italy into administrative regions that cut across ethnic boundaries. That is, these are expressions, not causes, of Italian unification.[16]

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[12] 1.55, 1.64.

[13] Livy, *Per.*, 84 reports a decree of the Senate to the effect that "*novis civibus S. C. suffragium datum est*," ("by a decree of the Senate the vote was given to the new citizens") and *Per.* 86, an agreement from Sulla to respect the Italian right to vote. Mouritsen, p. 168 presents the census of 70 BCE as the date of effective enrollment as the "received story of Italian unification" for reasons that are not clear.

[14] M. Crawford, "Italy and Rome from Sulla to Augustus," *CAH*^{2}, vol. 13a, pp 414-433.

[15] p. 419.

[16] p. 429-430, 431.

A number of institutions and mechanisms contributed to Claudius' questioning the nature of the Senate and Italy in the Lyon Tablet, and modern political theory can help elucidate these institutions and mechanisms. Kymlicka offers a compelling theory for state development, directed at the problem of Qúebec, but I think his notions are applicable, with some adjustment, to the Roman problem.[17] Kymlicka presents a prescriptive argument for the treatment of what he calls "national minorities" in a western liberal democracy, and he argues in favor of greater tolerance for these national minorities. "Liberal-democratic states have historically been 'nation-building' states in the following specific sense: they have encouraged and sometimes forced all the citizens of the territory of the state to integrate into common public institutions operating in a common language."[18] Kymlicka outlines the liberal argument as such: the community matters only in so far as it is comprised of individuals; individuals deserve to make their own life choices, and community interests ("cultural practices" in his terms) dissolve when individuals have no use for them. "Communitarians" on the other hand prioritize cultural practice over individuals, and stress communal autonomy over individual autonomy.[19] Understandably these two groups have historically come into conflict. For Kymlicka, especially since the collapse of the USSR, the problem is not one of domination of one ideology over the other, but finding a way to include communitarian populations in the otherwise liberal nation-state. Kymlicka sums this up:

> These policies have all been pursued with the intention of promoting integration into what I call a 'societal culture'. By a

[17] W. Kymlicka, *Politics in the Vernacular: Nationalism, Multiculturalism, and Citizenship,* (Oxford: Oxford University Press, 2001).

[18] p. 1.

[19] pp. 18-19.

> societal culture, I mean a territorially-concentrated culture, centred on a shared language which is used in a wide range of societal institutions, in both public and private life (schools, media, law, economy, government, etc).[20]

Kymlicka notes that a modern liberal democracy is pluralizing through inclusion of many ethnicities in these cultural institutions. "This diversity, however, is balanced and constrained by linguistic and institutional cohesion; cohesion that has not emerged on its own, but rather is the result of deliberate state policies."[21]

Kymlicka approaches the problem of diversity in a liberal democracy through a prescriptive view – he wants to reform modern liberal democracies into forms of states that focus less on inclusion in national institutions ("assimilation" might be a bit too strong a word), and rather find other means of including communitarian national minorities that do not rely on national institutions constrained by a national language. He is not especially unique in his analysis of nation-building institutions. Anderson outlined his definition of "nation" thirty years ago: it is an imagined, limited, sovereign community, by which he means that members of a group recognize each other as members whether they have real interaction with each other or not; the group has imposed restrictions limiting participation to only some people and not others, and the group is imagined to possess the power of governing, rather than a divinely appointed sovereign.[22] For Anderson, these nations are necessarily modern. The key for Anderson to the development of nations was the

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[20] p. 25.

[21] p. 25.

[22] B. Anderson, *Imagined Communities*, revised edition, (London: Verso, 2006) pp. 6-7.

development of print capitalism – the production of texts such as newspapers and novels that created the perception of a common intellectual dialog between people in a given market. In addition, Anderson credits other institutions such as the development of vernacular languages as languages of administration,[23] isolated economic zones,[24] bureaucracy drawn from a metropolitan population,[25] a common standard of education,[26] "unisonance" as represented by national mythology embodied in anthems, monuments, and documents.[27]

Rome of the first centuries BCE/CE cannot fulfill Anderson's understanding of "nation-state," most importantly because of the lack of print-capitalism before the invention of the printing press. However, Anderson's construction of the nation-state is not the only one possible. Anthony Smith has suggested that, rather than nationalism the ideology producing the nation, the nation produced the ideology of nationalism.[28] Smith grounds his nations historically in what he calls *ethnies*, groups of people that self-identify with each other around institutions such as a common language, mythology, and imagined past, including an imagined homeland. These *ethnies* are different from nations in that they lack political and territorial coherence, and may not aspire to such coherence. However, the institutions of language, mythology, and imagined past form the basis on which political movements

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[23] Anderson, "The Origins of National Consciousness," in *Imagined Communities*, p. 37-47.

[24] pp. 52-53.

[25] p. 115.

[26] pp. 116-ff.

[27] p. 145.

[28] A. Smith, *The Antiquity of Nations*, (Cambridge: Polity Press, 2004), pp. 22-23.

become possible. Such *ethnies* include the Hellenes, Jews, and Achaemenid Persians.[29] Smith catalogs several social movements which mark the division between *ethnie* and nation, which I will quote in full:

> 1 a movement from subordinate accommodation and passivity of a peripheral minority to an active, assertive and politicized community with a unified policy;
>
> 2 a movement towards a universally recognized 'homeland' for the community, a compact, clearly demarcated territory;
>
> 3 economic unification of all members of the territorially demarcated community, with control over its own resources, and movement towards economic autarchy in a competitive world of nations;
>
> 4 turning ethnic members into legal citizens by mobilizing them for political ends and conferring on each common civil, social and political rights and obligations;
>
> 5 placing people at the centre of moral and political concern and celebrating the new role of the masses, by re-educating them in national values, myths and memories.[30]

For comparison, the requirements of nations on the modernist model Smith lists as follows:

> 1 The nation is a geographically bounded community, with clear and recognized borders, within which the members reside, and with a clear centre of authority.

[29] pp. 185 ff.

[30] p. 197.

> 2 The nation is a legal community: that is, its members have common rights and duties as members under a single law code.
>
> 3 As a result, the nation is a mass participant community, with all classes participating in politics and society.
>
> 4 The culture of the nation is equally a mass, public culture, with culturally distinctive elements inculcated through mass educational institutions.
>
> 5 The nation is an autonomous community, and the members are accordingly citizens of a national state.
>
> 6 The nation and its state are part of a wider inter-national system of national states, of which they are sovereign members.
>
> 7 The nation is a human community that owes its conception and legitimation to nationalism, the ideology.[31]

These are the qualities of what Smith refers to as "the ideal-type" of the modernist position. Smith recognizes that *ethnie* and nation by the modernist definition are incompatible largely because *ethnies* do not necessarily exist in a system of nation-states, that they do not extend political privilege to all members, and do not have clear, geographically defined homelands. However Smith believes the modernist ideal-type fails on three major points: 1) the criterion of mass participation implies that nation-states did not exist until the twentieth century due to

[31] p. 129.

the exclusion of women from the franchise until after World War I; 2) the dependence of this model on western nation-states and western nationalism; 3) its failure to address the use of terms like *natio* since the ancient world to designate different communities.[32]

Smith instead proposes an ideal-type with the following criteria (which, he says, "are better conceived as generic processes of nation formation"):

> 1 The discovery and forging of a common self-image, including a collective proper name, which symbolizes 'us' as opposed to others around us;
>
> 2 The cultivation of distinctive shared memories, myths, symbols and traditions of the historic culture community formed on the basis of one or more ethnic categories and communities;
>
> 3 The occupation, residence in, and development of a common ancestral homeland with clear and recognized borders;
>
> 4 The creation and diffusion of a distinctive public culture for the members of the collectivity;
>
> 5 The observance of distinctive common customs and common laws for the members.[33]

For Smith, examples in the ancient world that approximate this ideal-type nation are Armenia and Judea in the Second Temple period. Both exhibit "self-definition, memory cultivation, territorial development, the diffusion of public culture and legal standardization that together

[32] pp.128-134.

[33] p. 136.

constitute the bounded sociological and cultural community we call the nation."[34] Despite lacking sovereignty, as vassals or satellite states of larger empires, bounded territorial homelands and religious laws contributed to the construction of a sense of nationality which survived the dissolution of the territorial states of these communities.

Smith's criteria for the ideal-type nation-state comes closer to the Italy of the Lyon Tablet: we have seen the use of the ethnic *italicus* in opposition to *provincialis*, providing a noun to satisfy the "us versus them" criterion; Claudius' appeal to Roman traditions of inclusion suggest "cultivation of distinctive shared memories, myths" etc. (although it is interesting that Claudius discusses what appears to be a minority tradition);[35] and finally the notion of Italy as a defined geographical homeland in which *italici* live seems present in the text as well. However nothing in the Lyon Tablet satisfies Smith's criteria 4 ("the creation and diffusion of a distinctive public culture for the members of the collectivity") and 5 ("the observance of distinctive common customs and the framing of common laws for the members"). These last criteria might find satisfaction in other sources. The Italy of the Social War satisfies none of these criteria, nor the criteria of an *ethnie*. Recall my suggestion of the failure of "Italia" as a political slogan during the war in the previous chapter. In short, Smith's ideal-type of nation fails for Italy of the first century CE because there is no historical Italian *ethnie* from which to develop a nation. Italy in the early first century BCE

[34] p. 145. Smith makes this claim observing the development of particular religions with liturgical languages (monophysite Christianity for Armenia, and a commitment to Yahweh with a cult center at Jerusalem for Judea) that developed a legal uniformity for members of their respective societies. The argument in full comprises the chapter "Were there 'Nations' in Antiquity?' pp. 127-153.

[35] For the oddities of Claudius' account of Roman history, see M. T. Griffin, "The Lyons Tablet and Tacitean Hindsight," *Classical Quarterly*, vol. 32, no. 2 (1982), pp. 404-418.

was a cacophony of languages, labels (Umbrian, Etruscan, Samnite, Marsic, etc.,) institutions, citizenships, and foundation myths.

If Italy of the first century CE approximates Smith's ideal-type of nation, but without a preceding *ethnie*, we must ask how such a nation came into existence. Here Kymlicka's notion of "nation-building states" becomes useful. Kymlicka, in his description of modern liberal nation-states, posited that such states have the intention – thought through and planned – of assimilating minority communities through institutions that emphasize the individual. Ancient Rome, of course, cannot be equated to a modern liberal nation-state, but I propose that the institutions and processes that allow modern liberal nation-states to be nation-building states were in action despite the lack of a nation-building ideology, or as Smith would call it, "nationalism." To review, Kymlicka pins the nation-building state on institutions such as "a shared language which is used in a wide range of societal institutions, in both public and private life (schools, media, law, economy, government, etc.)".[36] I do not argue that Rome held the same intention of nation-building that Kymlicka supposes modern liberal nation-states hold. The mechanisms by which Kymlicka argues modern liberal nation-states construct themselves were in operation in first-century BCE Rome, however even without the conscious intention leaders of modern nation-states bring to similar problems.

Perhaps the greatest force for cultural assimilation between Rome and her Italian allies was Rome's military practice, namely using allied units to complement Roman legions. This has often been discussed, and the best summary may be Crawford's article mentioned above. Nevertheless, some discussion here will make the point.

[36] Kymlicka, p. 25.

Polybius, the second-century BCE Greek historian of Rome's war against Hannibal (218-202 BCE) in his sixth book, describes the process by which Romans of the second century raised allied troops. Consuls determined the number of soldiers each ally had to supply, (6.12.3); the allies assembled at the same place as Roman legions assembled, generally in number equal to the Romans, where Roman officers took command of each group (6.26). In the field the allies camped within the Roman camp, and participated in its construction (6.34). Unlike Roman soldiers, who paid for their own rations, allies received rations *gratis* from the Romans, and derived their pay from their own communities (6.21 and 6.39).

The orthodox opinion is that the mid-Republican army served as an engine of assimilation much as Kymlicka considers a modern, national army. Gabba in 1973, well before Kymlicka, recognized the army as an assimilating institution. "It seems undeniable that the unification of the various races of the peninsula had originated and developed primarily in the composition of the army, even in the period prior to the Social War...."[37] Gabba viewed the army as a coalition of the Roman "rural proletariat" (Gabba's term) and Italians who operated politically against the aristocracy that dominated the state, and derives this opinion from "the generals who employed them," especially that of Scipio Aemilianus, Polybius' friend and student, who supported Italians against the maladministration of the land commission the two Gracchi brothers instituted to redistribute Rome's public land to the urban poor in 133 BCE. Gabba's understanding of this "unification" is largely political, in which citizenship is the prize awarded for useful service to the state. Nevertheless, service in the army provided an avenue of social promotion otherwise denied to these allied groups, but "the grant of Roman citizenship [to Italians] had represented, in the field of politics, an

[37] Gabba, p. 28. He explains this position in n. 61 on p. 187.

advantage that was without practical effect."[38] If Gabba is right, this coalition between Italians and the Roman proletariat must mean first, that Italians and Romans in the army could associate and communicate with each other, which implies a common language, probably Latin, and a recognition of shared political interests, which implies each party had sufficient understanding of the other's circumstances that they could sympathize with each other.

This mid-Republican military may not have provided the kind of military Kymlicka means when he refers to military service as a means of assimilation. The assimilating military is one that imposes a single language on its polyglot soldiers.[39] While the orthodox scholarly opinion, as summarized by Rene Pfeilshifter (2007), is that the army was a significant force for assimilation, and in particular facilitated the spread of Latin among the allies,[40] Pfielshifter argues that Rome's allies in the mid-Republican army remained for the most part socially and linguistically isolated. Pfeilshifter draws evidence from the same text of Polybius Gabba referred to. While he recognizes some unifying aspects of military life (namely, shared logistics, especially regarding food, and shared ceremonies, especially receiving rewards and punishments), he notes significant obstacles to integration with the Roman army. The points Polybius provides are officers and paymasters appointed by each allied contingent's local polity (Pol. 6.24.-5) and billeting in special areas of the camp (6.30.1). "Not only was there no mingling with the Romans, but the allies did not have many

[38] p. 28.

[39] Kymlicka, p. 157.

[40] Pfeilshifter, pp. 27-28, following *e.g.* Gabba (1976) and Keaveney (1987), p. 12-14.

contacts with each other. The individual cohort, one's fellow-countrymen – essentially the people one could talk to – remained the points of reference for the allied soldier...."[41]

Any Romanizing influence service in the army might have had on the allied contingents, Pfeilschifter argues, was further mitigated by the small percent of the male Italian population participating in the Roman military. The customary ratio of *socii* to Romans is usually estimated to be about one to one, following Polybius (3.107.14). Brunt prefers Livy's estimate of two to one.[42] Brunt's estimate is that this military obligation meant about eight percent of Italy's adult male population was under arms every year.[43] Pfeilschifter finds this unreasonably high, and prefers to assume a figure of 1.5-3.5% or less for Italians, which he claims approximates the enlistment rates of eighteenth-century France. This calculation reduces the number of Italian males who came into contact with Roman culture through the military by at least two thirds if not ninety percent, but also requires an Italian population of 10-12 million, rather than the 5 million Brunt found.[44]

If we accept Pfeilschifter's estimation of the Italian population in the second century BCE, it would indeed suggest only a limited number of Italians spent any great deal of time in contact with Roman military culture, or Roman culture at all. To quote Pfeilschifter's summation:

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[41] p. 31. The debate about population density in Italy is summarized in W. Scheidel, "Roman population size: the logic of the debate," *Princeton/Stanford Working Papers in Classics* 2007, Paper No. 070706, which outlines the failures of both the "low" and "high" estimates of Italian population.

[42] Brunt, p. 678, Livy, 21.17.

[43] p. 108.

[44] Pfeilschifter, pp. 28-9.

> When the *socii* returned from their service (after 2-3 years if they were lucky, after 6-7 if they were not), what was left to them? How deeply were they influenced by their experiences in the army.... If they had been unable to speak Latin before, by now they should have at least a smattering of it.... At home, however... they would meet few Romans but, of course, many [natives].[45]

If Pfeilschifter is right, and Romans segregated ethnically and linguistically diverse allies while on campaign, and only a few percent ever encountered Romans in this way, then one might expect only a slight acculturation among the Italian rank and file.[46]

Pfeilschifter does allow for a vertical avenue of integration through the chain of command. An *ala*, the allied equivalent to a Roman legion, was comprised like the legion of ten cohorts, each of which had appointed to it an officer (*praefectus cohortis*) from the community from which the cohort was derived. The assumption is these would have been elites of their respective communities and suitably educated, including knowledge of Latin. These *praefecti cohortium* in turn reported to Roman officers, six *praefecti socium,* prefects of the allies. Pfeilschifter's analysis of integration of the allies in this way concludes it effectively isolates the allied contingents from Romans (except the elite *praefecti cohortium*, but still excludes them from access to positions of decision making and the circles of the higher officers), as well as isolating the various contingents from each other.[47]

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[45] p. 38.

[46] But see below for colonies and veteran settlements.

[47] Pfeilschifter describes this organization scheme in pp. 31-34. The sources for this scheme are Polyb., 6.21.5, Livy, 27.9, Cic., *Verr.* 2.5.60.

The one element of the allied contingents that Pfeilschifter thinks capable of horizontal integration was the *extraordinarii*, four cohorts of picked allied troops used for special operations.[48] These troops, Pfeilschifter supposes, were selected partly for their ability to speak Latin, and it was these that might absorb Latin culture and build solidarity with other Italians. Given the large Italian population Pfeilschifter assumes, this leaves very few Italians who, having had contact with Roman culture, could influence their local communities. "This was an army that conquered the world but contributed little to the Romanization of Italy."[49]

This analysis of Roman influence on the Italian allies, based on the structure of the Roman army, is logically compelling, but I have a few concerns. Diodorus Siculus, a Sicilian Greek historian of the middle first century BCE, wrote a history of the world that included an account of the Social War. It is unfortunately very fragmentary, but may still represent our earliest narrative of the war. Diodorus includes an incident between the armies of the Roman general Marius and the Italian general Q. Poppaedius Silo, which is worth quoting at length:

> The ranks on each side coming into sight of their enemy became inclined toward peace, for the soldiers on each side recognized the arrival of friends: not a few of them comrades-in-arms, and many kinsmen and relatives, on whom the custom of intermarriage imposed affection. On account of that affinity compelling them, they made friendly speech, greeting each other by name and called them to abstain from murder, and throwing aside their weapons already prepared for hostilities they extended their right hands kindly greeting each other.

[48] Pfeilschifter, pp.34-35. Polyb. 6.26 ff reports the selection and use of these cohorts.

[49] p. 40.

> Seeing this Marius himself went out from his lines. Pompaedius did the same and they chatted with each other in a friendly way. While the leaders said many things about peace and about the desired citizenship, and joy and beautiful hope filled the soldiers on each side, the whole meeting changed from hostile formations to a festive disposition, and when the friendly words of the generals summoned them to peace all gladly refrained from mutual slaughter.[50]

This appears to be the kind of feel-good trope that often crops up in narratives of civil war. It does, however, have some merit. Diodorus was writing within a generation of the war, and many young men who participated in the war, like Cicero, would have been alive during the period of composition. Plutarch, apparently referencing Sulla's memoirs, reports that on returning to Italy in 82 BCE, Sulla feared that his soldiers would disband against Roman opposition, and at Capua he charged the Roman opposing force without allowing time for setting proper battle lines. Apparently Sulla recorded that engagement and its outcome in his memoirs. "He said this was the reason that the soldiers did not disband to their several cities, but they stayed together and despised their much more numerous

[50] Diod. Sic., 37.15, "καὶ πλησίον ἀλλήλων γενομένων τὸ σκυθρωπὸν τοῦ πολέμου εἰς εἰρηνικὴν μετέπεσε διάθεσιν. εἰς ἐπίγνωσιν γὰρ ὄψεως ἐλθόντες οἱ παρ' ἀμφοτέροις στρατιῶται πολλοὺς μὲν ἰδιοξένους ἐπεγίνωσκον, οὐκ ὀλίγους δὲ συστρατιώτας ἀνενεοῦντο, συχνοὺς δὲ οἰκείους καὶ συγγενεῖς κατενόουν, οὓς ὁ τῆς ἐπιγαμίας νόμος ἐπεποιήκει κοινωνῆσαι τῆς τοιαύτης φιλίας. διὸ καὶ τῆς συμπαθείας ἀν-αγκαζούσης προΐεσθαι φωνὴν φιλάνθρωπον, ἀλλήλους ἐξ ὀνόματος προσηγόρευον καὶ παρεκάλουν ἀπέχεσθαι τῆς τῶν ἀναγκαίων μιαιφονίας, τὰς δὲ ἐν προβολῇ πολεμικῶς διακειμένας πανοπλίας ἀποτιθέμενοι τὰς δεξιὰς ἐξέτεινον ἀσπαζόμενοι καὶ φιλοφρονοῦντες ἀλλήλους. Μάριος καὶ αὐτὸς προῆλθεν ἐκ τῆς παρατάξεως· ποιήσαντος δὲ καὶ τοῦ Πομπαιδίου τὸ παραπλήσιον διελέχθησαν ἀλλήλοις συγγενικῶς. πολλῶν δὲ λόγων γενομένων τοῖς ἡγεμόσι περὶ τῆς εἰρήνης καὶ τῆς ἐπιθυμουμένης πολιτείας, καὶ τῶν στρατευμάτων ἀμφοτέρων χαρᾶς καὶ καλῶν ἐλπίδων πληρουμένων, ἡ πᾶσα σύνοδος ἐκ πολεμικῆς τάξεως εἰς πανηγυρικὴν διάθεσιν μετέπεσε, καὶ τῶν στρατιωτῶν τοῖς οἰκείοις λόγοις ἐπὶ τὴν εἰρήνην προκα λεσαμένων ἅπαντες ἀσμένως τῆς ἀλληλοφονίας ἀπελύθησαν."

opponents."[51] For Sulla, whether his Roman army would fight another Roman army was a real question, suggesting the type of incident between Marius and Silo was a real possibility. To return to Diodorus' anecdote about Marius and Silo in the Social War, if we accept it as plausible if not historical, we must accept that the assumption Diodorus employs in describing that incident is that the allies would have known and recognized their former Roman compatriots, which in turn suggests the allies did mingle with Romans despite formal separation in the command structure.

In either case, at some point following the Social War the Italian allies were integrated into the legion proper (Gabba, as I noted above, sees the Italians integrated even before the war; Dart, the most recent scholar to publish an opinion, sees more of a gradual enlistment between 88 and 70 BCE).[52] Integration of the allies into the legion proper removed the barriers to integration that Pfeilschifter finds separating the Italians from assimilating influences. The Italians became so integrated in the Roman legion that Adrian Goldsworthy, in his book on the late-Republican and Imperial army cannot be bothered to list either "allies" or "*socii*" in his index, and indeed focuses his discussions of augmentation of the Roman armies not on the term "*socii*" but on "*auxilia*" - non-Roman troops fighting in their traditional manners. He begins this discussion with Caesar's Gallic cavalry (non-Italic horsemen by definition), and continues from there. Italians do not factor in his analysis of the Roman army of the late Republic at all.[53] For Romans and their former Italian allies, this

[51] Plut., *Sull*., 27, "τοῦτο αἴτιον αὐτῷ γενέσθαι φησὶ τοῦ μὴ διαλυθῆναι τοὺς στρατιώτας κατὰ πόλεις, ἀλλὰ συμμεῖναι καὶ καταφρονῆσαι τῶν ἐναντίων πολλαπλασίων ὄντων."

[52] Dart, p. 184-185.

[53] A. Goldsworthy, *The Roman Army at War: 100 BC- AD 200*, (Oxford: The Clarendon Press, 1998), pp. 68-73.

organization of the army, after the Social War, does seem to me to constitute the kind of army Kymlicka describes. Incorporating the Italians into the regular Roman legion meant that soldiers of different ethnicities had an opportunity to interact on a daily basis, serve under the same officers, and of course must have encouraged a *lingua franca* – Latin.

Another way the Roman army could effect change in Italian cities was through colonies. Rome settled colonies throughout Italy over a span of some three centuries that would have brought Italians into contact with Romans on a daily basis. Early (fourth-century BCE) Rome began establishing colonies in Italy, primarily as garrisons in frontier towns. These "Latin" colonies were placed in existing settlements with an average of 3,000-4000 male Latin (in the legal sense) immigrants.[54] Colonization happened in several phases; the first being twenty-eight Latin colonies of the garrison sort just mentioned. A second kind of colony, called variously "citizen," "maritime," or "Roman," settled Roman citizens in some twenty coastal cities. These, unlike the Latin colonies, were not autonomous; "but rather extensions of Rome itself."[55] Livy (34.45) reports a smaller number of settlers than in the Latin garrison colonies; only three hundred. By the second century Rome had established some fifty Latin or Roman colonies that provided both military garrisons and points of contact Italians might have with Latin language and culture. Finally, at the end of the second century, there were several initiatives to settle Roman veterans around Italy, from C. Gracchus' tenure as tribune of the plebs (123-121 BCE) through the reign of Augustus (31 BCE-14 CE). Under Caesar, these settlements likely exhausted the availability of land in

[54] W. Broadhead, "Colonization, Land Distribution, and Veteran Settlement," in *A Companion to the Roman Army*, ed., P. Erdkamp, (Oxford: Blackwell, 2007), p. 149.

[55] p. 151.

Italy, causing Caesar to begin settling his veterans in the provinces.[56] Augustus, in an effort to provide settlements for his veterans inside Italy, displaced existing populations, including, very likely, the family of the poet Propertius.

Augustus, perhaps unintentionally, provided two other means of integrating the Italian cities into the Roman system. These were reorganizing the administration of Italy, and the construction of roads throughout the peninsula. Romans had of course been building roads in Italy since the fourth-century BCE. Roads such as the Via Appia, Laurence argues, served military purposes, with the Via Appia providing a connection with Rome's southern allies during conflict with its Latin neighbors.[57] The Via Flaminia likewise linked Rome with its northern colonies.[58] Augustus invested heavily in the maintenance of the Roman road system, both personally and through encouraging other elites to participate in the maintenance of the roads (*R.G*. 20.5; Suet., *Aug*. 30). Laurence points out that the Augustan reconstruction of Italian roads was celebrated both in coinage and in monumental architecture.[59]

In addition to repairing the roads themselves, Augustus organized a bureaucracy to maintain and police them. Pliny the Elder describes the division of Italy into eleven regions which provide the organization for Pliny's description of the Italian peninsula.[60] Laurence

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[56] p. 160.

[57] Laurence, pp. 11-12.

[58] pp. 21-22.

[59] pp. 42-43.

[60] Plin., *HN,* 3.6ff; Laurence, pp. 165-176 on the importance this organization had on notions of Italian geography.

devotes a chapter to the administration of these regions, primarily in relation to bandits.[61] That bandits were a problem during the late Republican period Laurence demonstrates with evidence drawn from inscriptions, letters, and accounts. He notes, for instance, the retinue the politician Clodius took with him when he encountered his opponent Milo on the Via Appia in 52 BCE; the confrontation between the two retinues, including armed gladiators, resulted in the assassination of Clodius, leading to riots in Rome only subdued when Pompey occupied the city with his army as sole consul by special appointment of the Senate.[62] What is especially interesting about these bandits is that they are not the romantic, impoverished bandits of the ancient novel, living in caves; as Laurence notes, Suetonius (*Aug*. 32) describes gangs grabbing travelers off roads and keeping them in the workhouses of landowners. These are elite landowners, apparently employing gangs of armed slaves to capture the unprotected traveler. In his effort to limit this elite form of banditry, Augustus established garrisons throughout Italy and the inspection of workhouses; this required administrators to direct inspections and command garrisons, directly appointed from Rome. By this point Rome had taken over the direct administration of Italy. Rural communities were still responsible for the upkeep and policing of their local roads, but the great avenues were managed from the capital.

The nation-building effect of this policing and maintenance of roads is well understood. Weber (1976) links the development of the French road system, and then railway, in the

[61] Laurence, "The Extension of State Power," pp. 177-186. The discussion of banditry here more or less summarizes Laurence.

[62] p. 179.

1800s with the development of an integrated French economy and culture.[63] Weber notes that lack of easy travel prevented rural villages from responding to general market conditions. "In Var figs were fed to local pigs; plums at Brignoles or Agen were kept for local consumption." In addition to roads providing access to broader markets, roads and railroads encouraged the dissemination of skills such as writing and accounting necessary for the conduct of long distance trade. They also contributed to the spread of wine as a staple, and indeed, nationalism.[64]

Rome certainly would not have integrated as quickly as France with railroads and mass industrial production did, but the principle – a network of well-constructed and maintained roads connecting rural communities to the capital, could still function. Indeed, Laurence argues that Romans built roads precisely to ship supplies from rural settlements to the army.[65] Just the army of the Augustan period required, according to Laurence's estimate, 28,000 mules with an industry of mule breeding sufficient to replace 2,800 to 7,000 mules per year.[66] This does not include mules for agricultural or civilian uses. Evidence of muleteers occurs from Mediolanum to Brunsidium in organized *collegia* as well as attached to specific families, and the paved roadways allowed mules to pull carts for larger shipments, rather than act as pack animals.[67]

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[63] E. Weber, "Roads, Roads, and Still More Roads," *Peasants into Frenchmen: The Modernization of Rural France 1870-1914*, (Stanford: Stanford University Press, 1976), pp. 196-220.

[64] pp. 207-218.

[65] Laurence, p. 127.

[66] p. 129.

[67] pp. 133-135.

Villas according to the ancient manuals (Varro, *RR*. 1.16.2-6), Laurence notes, require access to roads for transporting produce to at least local markets and access to temporary labor markets.[68] The ordering of a villa included the construction of roadways of the local sort rather than the imperial or military roads that would provide access to the greater road systems as well as local markets.

The final nation-building institutions Rome possessed that I want to consider here are the Senate and the voting assemblies. Kymlicka, in the context of modern liberal national democracies, identifies participation in a national assembly such as the Congress of the United States as an assimilating influence on a national minority, particularly with respect to language.[69] The problems of democracy require a common language simply to debate legislation. On the other hand, withdrawing from such assemblies can be a response by a national minority attempting to preserve a minority culture, such as the situation of Puerto Rico, whose only representative in Congress is a non-voting member.[70] While Rome can certainly not be described as a modern liberal democracy, Rome's assemblies (with the exception of the Plebeian assembly) were, in theory, inclusive of all male citizens, and in theory the Senate was open to any citizen with enough clout to win election to a magistracy. The same linguistic problems that modern liberal democracies face in national assemblies apply to Rome's assemblies – drafting and publishing legislation, debate, and voting require a *lingua franca* that excludes non-speakers from meaningful participation in government.

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[68] pp. 102-105.

[69] Kymlicka, pp. 26-27.

[70] p. 108.

Italians would have been enrolled in a tribe for participation in the popular assemblies and a century for participating in the Centuriate Assembly according to their wealth when enrolled during a census. I mentioned at the beginning of this chapter the controversy enrolling Italians caused and the efforts of conservative Romans to constrain the voting power of Italian citizens to just a handful of tribes, effectively eliminating their influence in voting assemblies. The fact that, as Appian reports, some Italians valued the opportunity to participate in the assemblies on an equal basis suggests that influencing votes was an adequate compensation for their gripes against Rome, whatever their gripes were.

Allied admittance to the Senate was a slower process, and not well documented. Wiseman (1971) lists one Atidius as a senator potentially from the Appenines some time before 75 BCE.[71] From among the Marsi, perhaps the most belligerent party of the *socii* in the Social War, aside from Atidius, senators only begin to enter the record around the time of Caesar's assassination (44 BCE) and Augustus (r. 31 BCE – 14 CE). This fits neatly with Augustus' reorganization of Italy and road building (or stabilizing, perhaps) project.

Acclimating to a kind of "national" legislature would not have been a new idea for the Italian elite. They, after all, had founded at Corfinium, in the context of the Social War, a Senate of some 500 members of the elite class, educated in multiple languages. That required as much time and travel as participating in the Senate at Rome would. Syme argued that Caesar stacked the Senate with Italians.[72]

While the Roman Republic was certainly not a modern democratic nation-state, it possessed many of the institutions that modern nation-states possess to construct nations

[71] T. Wiseman, *New Men in the Roman Senate 139 B.C. - A.D. 14*, (Oxford: Oxford University Press, 1971), p. 216.

[72] Syme, *The Roman Revolution*, p. 82.

using Kymlicka's model. This is exactly what Smith refers to when he writes about nations submerging into and emerging from history. Even though the process might have been unintentional (contra Kymlicka, who argues modern nation-building states consciously engage in nation-building activities), Rome possessed and incorporated many institutions which forced assimilation to the Roman way of life. The process of incorporating Italians into that way of life took many years, despite laws dictating rapid inclusion, and remained a point of debate among the literati at least for nearly another 100 years.

Introduction to The Second Part

In the previous section I discussed the development of the geographical term "Italy" or "Italia" from a term that referred to a small part of the Greek settlements along the coast of the Gulf of Taranto in what is now southern Italy to a term for the whole peninsula up to the Alps, an extension in meaning that took four hundred years to become formalized, when Augustus and the other members of the Second Triumvirate incorporated Cisalpine Gaul into Italy in 42 BCE. I also discussed the development of the term "Italia" as representing a political community and a political slogan in the Middle and Late Republic. I have argued that an idea of a political community called "Italy" was not powerful enough to overcome Rome as the unifying structure for the Italian peninsula during the Social War, although some Italian elites made a good attempt to use "Italy" in this way, and that later Octavian was able to use "Italy" as a slogan in his war against Antony, or at least, when he recorded the achievements of his life as Augustus around 14 CE, he claimed to have relied on Italy in that way. I also argued that, while Rome had and shared what can be recognized as nation-building institutions with other Italian states, such as the army, for some time, only during the reign of Augustus (31 BCE-14 CE) did these institutions reach full development. The idea of Italy preceded the development of an Italian territorial state; Italians did not invent the term to describe a territorial state they already had. By 48 CE, when Claudius addressed the Senate, an "Italian" consciousness had developed. Here I invoke Smith's required traits for groups conforming to the term *ethnie*:

> 1 a common name for the unit of population included;
>
> 2 a set of myths of common origins and descent for that population;

> 3 some common historical memories of things experienced together;
>
> 4 one or more elements of common culture – language, customs, or religion;
>
> 6 a sense of solidarity among most members of the community.[1]

I have argued that at the beginning of the Social War, the term "Italia," which Italian elites in the Social War attempted to propagate as a slogan for the rebels, at that time found little traction, but by the end of Augustus' rule had importance at least for Augustus; that interactions in the army and the assemblies and the Senate encouraged if not necessitated a shared language especially after the census of 70 BCE, and likewise that participation in the army and the assemblies and Senate encouraged solidarity (which apparently the Allies had already established to a large extent at the beginning of the Social War) among at least elites and possibly the rank-and-file of the community.

Ronald Suny has observed that foundation narratives of modern nation-states adapt details to suit the political circumstances of the times in which they are told.[2] Suny describes the term "identity" in the following way:

> Identity is understood here as "a provisional stabilization of a sense of self or group that is formed in actual historical time and space [...] as a continuous search for some solidity in a constantly shifting world – but without closure, without forever naturalizing or essentializing the provisional identities arrived

[1] Smith, p. 185.

[2] R. Suny, "Constructing Primordialism: Old Histories for New Nations," *The Journal of Modern History*, vol. 73, no. 4 (2001), pp. 862-896.

> at.... Nations are articulated through the stories people tell about themselves. The narrative is most often a tale of origins and continuity....[3]

Suny's understanding of foundation narratives – the tales often told of the origins of the community that tells them – are contested narratives that justify or reject contemporary political situations rather than present accurate accounts of the past.

In a 2001 article Suny described his experience at an international conference at the American University of Armenia in Yerevan. When Suny visited in 1997, he was visiting for the first time since the Soviet Union collapsed and Armenia was a free state for the first time in the post-World War II period. Suny described the talk he presented and its aftermath: "The thrust of the talk was to question the usefulness of ethnonationalism in the current situation by proposing a more constructivist understanding of nationness in place of the primordialist convictions of the nationalists…. The reaction to the talk was explosive." Suny suffered a public campaign against his participation in the rest of the conference that ended in guards escorting him out of the venue the next day, and literary attacks against him continued for a year.

Suny used the incident to explore an evolution of Armenian traditional narratives. He describes the tradition as it was told in the Soviet period:

> Among Armenians the themes that through repetition constitute the deep weave of tradition include the antiquity of the people, its indigenous and continuous occupation of the "homeland," the unique and significant role of Armenians in

[3] p. 865-866.

> history (the first Christian nation, defenders of Christianity at the frontiers of Islam), and a constant struggle for survival and freedom. History is told as an epic, complete with heroes and martyrs, great sacrifices and persistence, treacherous enemies and unfaithful friends. As they tell their story, Armenians have been betrayed repeatedly, abandoned by great powers, invaded by uncivilized barbarians, and yet have survived. Often without a state of their own, Armenians have managed to remain constant to their ideals, thanks to the continuity of the national church…. [4]

This narrative claims as Armenian the first-millennium BCE sites of Urartian culture that, according to Suny, most scholars consider proto-Armenian.[5] Meanwhile, Armenians living in diaspora where subscription to a national identity is an individual choice rather than something imposed by the state (as is the case in the almost entirely ethnically homogenous Armenian state) stress more heavily the importance of the Armenian genocide as "the perpetual sign of Armenian victimhood."[6] Suny, by claiming that Armenians construct national identities in response to contemporary political situations threatened the legitimacy of national claims (for instance, to territory) and to self-identity, and so found himself escorted away from the hostile audience of the conference.

The payoff for students of the Social War in the theoretical approaches to nations and foundation narratives I have discussed (Kymlicka, Smith, and Suny) is to address one of Mouritsen's complaints about the sources: that the first significant source for the Social War

[4] p. 885.

[5] p. 887.

[6] p. 891.

is the late Appian. If Augustan foundation narratives act as Suny's Armenian foundation narratives, we are on good grounds to interpret these narratives as describing, explaining, or justifying the current situations of the Romans who told them. So, while one way of reading Livy might be to interrogate Livy for the sources of his information about Rome's distant past, as Oglvie and Oakley did in some parts of their commentaries on Livy's first decade, or as more recently Wiseman's (2008) attempt to glean information from the source's unstated assumptions and premises, one can also read these narratives for their author's views on recent political experience. The relationships between Romans and Italians, and the reasons given for political union, are as much reflections of those living in the first century after the Social War on that war as much as they are reflections of Rome's ancient traditions. To point out one case now, Livy's description of the conflict between Alba Longa and Rome provides a striking characterization of the conflict. Livy's Mettius Fufetius describes what appeared to be a dispute over a cattle raid in terms of much greater gravity: the true conflict is over desire for empire ("*cupido imperii*"), the alternative to empire is slavery ("*in dubiam imperii seuitiique aleam imus*").[7] The issues and language Mettius Fufetius employs is strikingly similar to the goal of the s*ocii* of the Social War presented in the *Rhetorica ad Herennium*: were the *Socii* merely fighting a border war against neighbors, they would not attempt it with their meager resources; how much less believable is it that "they... were trying to transfer the rule [*imperium*] of the world to themselves…."[8] In both cases the wars should not be consider wars of petty reasons, but rather wars for the highest stake, empire. If national

[7] Livy., 1.23.

[8] *Rhet. Her.*, 4.13, "*illi imperium orbis terrae... ad se transferre tantulis viribus conarentur....*"

foundation narratives function as justifications and explanations of the recent political experiences of the tellers of those narratives, and Italy under Augustus approaches the modern nation enough that Augustan foundation narratives function in similar ways, it should be possible to infer attitudes towards Italians even without extant echos of those attitudes in sources explicitly describing the Social War.

The *Aeneid* is Virgil's epic poem describing refugees from the destroyed city of Troy traveling across the Mediterranean and settling near the site of Rome in Latium among Latin populations in Italy. Virgil used various literary techniques to include discussion of the recent Roman civil wars of the first century BCE to link the politics of his own time to the foundational myth of Aeneas in ways that legitimate (or make illegitimate, depending on the reader) the regime of Augustus. But the *Aeneid* is not always about the question of the legitimacy of Augustus, but sometimes about an attempt to justify the inclusion of the various Italian ethnicities in a political state. I propose that a similar approach is appropriate for Latin foundation narratives generally, and that they represent differing perspectives in a lively debate about the nature of Rome's relationship with the former allies during Augustus' tenure as *princeps*, the most respected member of the Roman Senate.

Clifford Ando in 2002, in a chapter that is one of the central influences on my thinking in the present work, produced a discussion of Augustan ideas about the Roman political community.[9] Ando's problem is how to understand a world in which "all Italians were Roman, but not all Romans were Italian."[10] Ando explores three approaches to this

[9] Ando, pp., 123–42

[10] p. 123.

problem: that of Cicero's *duae patriae* model, Augustus' *tota Italia* model, and Virgil's, which does not seem easily reduced to a slogan. Both Cicero's and Augustus' approaches are of interest to me and I discuss them elsewhere in the present work. I do not, however, address Virgil. Ando's treatment of Virgil is an important guide for my own thought, and I want to examine what Ando has done with Virgil here.

Ando begins his analysis with Virgil's *Georgics*. This is a didactic poem ostensibly on farming, usually thought to be published in 29 BCE, shortly after Octavian defeated Antony at the battle of Actium in 31 BCE. Ando focuses on a passage in the second book known as the *laudes Italiae*, the glories of Italy. This passage of about forty lines describes Italy favorably against Eastern lands: Italy lacks monsters like the fire-breathing bulls of Colchis, it has flocks and harbors and rich mines and towns and brave men.[11] The brave men listed include traditional Italian enemies of Rome such as Marsi and Sabines, and Rome's national heroic families, Camilii, Scipiones, and Augustus himself, among others. Ando understands the inclusion of Roman heroes with Rome's traditional enemies in a list of Italian glories to be to an absorption of Rome into Italy.[12] In the *Aeneid*, Ando understands the Trojans arriving on the Italian coast and merging with the Latin population they found there, as Italians and Romans merged in the *laudes Italiae*, to be something other than a conqueror settling among the conquered: "Rome and Italy were an inseparable unity and that Roman *virtus* was not a native characteristic, but was ultimately derivative from a greater Italian set of *mores*."[13] In broader terms, Ando argues that Virgil used didactic and epic

[11] Verg., *G.* 2.136-176.

[12] Ando, p. 138.

[13] p. 140.

poems that had little apparent direct comment on his political circumstances to express complicated ideas about the relationship he shared with other Romans and Italians in his own time. Randall Pogorzelski later extended this argument. Porogzelski's thesis is that "[i]n spite of the historical fact of Rome's ancient conquest of the surrounding Italian areas, Virgil's poem projects the new Italian unity onto the ancient past." Virgil, in Pogorzelski's reading, has not just used Rome's traditional foundation narrative to comment on the political situation of his own time, but has reconstructed the foundation narrative to reflect his own understanding of his contemporary situation as a perennial truth. Italy, in this reading of Virgil, is not just the dominant political entity in Virgil's time; it has always been the dominant political entity since before Trojans arrived.[14]

For Ando and Pogorzelski, Virgil's united Italy is a response to the threat of a hostile alternative in the East under the control of Marc Antony. Virgil's view of Italy fell out of favor, Ando argues, because Augustan ideology became centered on Rome again after the victory at Actium.[15] I think it is a mistake to put too much emphasis on the war between Octavian and Antony; it may be the dominant circumstance to which Augustan authors react, but I do not think events of the Social War and its resolution, within living memory for many (thirty-nine years before Actium, if one counts from the census of 70 BCE), should be discounted as an important influence on Augustan thinking.

Unfortunately we cannot easily track changes in Roman foundation narratives across time responding to different political realities. Cato's account is only fragmentary, and what survives remains because it was of interest to people interested in Virgil. In effect we have

[14] Pogorzelski, pp. 261–289.

[15] Ando, p. 135.

Virgil's Cato, not Cato himself. Naevius and Ennius, the poets that composed the second-century BCE Roman foundation epics; Both wrote of Roman history between the sack of Troy and the Second Punic War. These epics are also almost non-existent, and the fragments that survive remain because they are interesting to people interested in other works, just as Cato's history survives. We have intact narratives from the Late Republic and from the Augustan authors, and while these are roughly contemporaneous, their authors held very different positions in Roman society and responded to their contemporary situation (including, I contend, the results of the Social War) in different ways.

In this second part of the present work I examine three authors, Cicero, Livy, and Ovid, who wrote Roman foundation narratives between the 50s BCE and 8 CE that imagine the relationship between Rome and Italy and the free Italian people of the past in different ways. These writers did not yet think of the assimilation of Roman and Italian as an inevitability, and the fact that they present different approaches to the problem of alliance and citizenship is evidence that the nature of the Roman state and Italians' place within it was still a matter of discomfort, despite the steps the *lex Julia* (90 BCE), the *lex Plautia Papiria* (89 BCE), and the census of 70 BCE took toward full inclusion of Italians in Roman government. Finally, I will turn to Propertius, an elegiac poet of the late first century BCE, and perhaps the Augustan author most strongly associated with his Italian place of origin, Umbria. I argue that Propertius maintained a local, rather than regional, Italian, or Roman sense of identity.

III. Empire, Assimilation, or Slavery: Foundation Narratives and the Allies in Revolutionary Rome

Cicero's de Re Publica

The Augustan formulation of *tota Italia* as a geographically defined political unit containing Rome is not the only possible way of understanding Rome's relationship to the Italian peninsula. In the following pages I will consider three such alternatives that isolate Rome from the Italian peninsula in different ways; first, Cicero, who before Augustus' *Italia* addressed Italian unity and Rome's place in Italy both directly and in a foundation narrative, then the narrative of the historian Livy, and finally Ovid, who placed Italy in the context of Augustus' Mediterranean empire in his universal history, the *Metomorphoses*.

Cicero formulated one alternative in his dialogue *de Legibus*.[1] Cicero seems to have been planning *de Legibus*, like he did its companion, *de Re Publica*, in 54 BCE.[2] The imaginary conversation of *de Leg*. Cicero set on the grounds of his villa in his home town of Arpinum, between himself, his brother Quintus, and his friend Atticus. While waxing nostalgic about his ancestral home, Cicero declares, "This is my true country [*germana patria*] and the country of my brother here."[3] This confuses Atticus, who a few lines later presses the point, "But what is this you said a little earlier, that this place – that is, as I think you said, Arpinum – is your true country [*germanam patriam*]? Do you have two countries,

[1] Ando, pp. 123-42 discusses Cicero's position in *Leg.*, and my argument follows much of his.

[2] Cicero wrote to both his brother Quintus and his friend Atticus about *de Re Publica* in 54 BCE (*Att.*, 4.14, 4.16 and *Q. fr.* 2.13, 3.5), and had already played with the notion of a contemporary setting for *Rep*. with himself as the protagonist, an idea which he employed in *Leg*. On Cicero's plan for the work and changes to it, P. Schmidt, "The Original Version of the De Re Publica and the De Legibus," in *Cicero's Republic*, edd., J. G. F. Powell and J. A. North, (London: Institute of Classical Studies, School of Advanced Study, University of London, 2001), pp. 7-16.

[3] *Leg*., 2.3, "*haec est mea et huius fratris mei germana patria.*"

or is there one in common? Unless by chance the country of that wise man Cato was not Rome, but Tusculum."[4] Atticus is expressing at least two anxieties about Cicero's claim that Arpinum is his true country. If Arpinum is Cicero's true country, what implication does that have for Rome as a country common to all? Not only does Cicero's claim jeopardize the current, inclusive political community (is Cicero, in describing Arpinum as his *patria*, excluding from political association all who were not born there?), but also Rome's past; by making analogy to Cato, the great statesman of a century earlier (d. 149 BCE), Atticus implies that if Cicero's claim is correct then Cato should not be considered any more Roman that Cicero considers himself – a person at least of divided loyalties.

Cicero explains his two countries by specifying that they are countries of different sorts and require different obligations from their members:

> By god I think both for that man [Cato] and for all rural citizens there are two countries, one of nature, the other of citizenship: so the famous Cato, although he was born of Tusculum, was received into the citizenship of the Roman people, thus, while he was Tuscan by birth, Roman by citizenship, he had one country of place, another of law; as your Attic people, before Theseus ordered them from the fields and all to join him in the city as it is called, and they were citizens of a *demos* and citizens of Attica, so we also call that "country," where we are born, and that by which we are received. But it is necessary to put that one first in love from which state is the name of universal citizenship, for which we

[4] 2.5, "*Sed illud tamen quale est quod paulo ante dixisti, hunc locum—id est, ut ego te accipio dicere, Arpinum—germanam patriam esse uestram? Numquid duas habetis patrias, an est una illa patria communis? Nisi forte sapienti illi Catoni fuit patria non Roma, sed Tusculum.*"

> ought to die and to which we owe it to surrender our whole selves and for which we ought to lay down on the alter of the country everything. Although that sweet one which gave birth is not much different from that which received us. And so I will absolutely never deny this county is mine, while that is greater, it contains this one in it....[5]

Cicero's political community, however much affection he has for Arpinum, only exists in a Roman context, and he returns to this position in his speeches against Antony, delivered in the last year or so of his life. Cicero as a young man had fought in the Social War, under Gnaeus Pompeius Strabo, father of Pompey the Great, in Rome's northern theater. As part of a catalog of terrible enemies who nevertheless held cordial negotiations, he recalls a meeting between Strabo and Publius Vettius Scato, a general of the Marsic component of rebel coalition, the people perhaps most intractably opposed to Roman domination of Italy. When Scato approached Strabo's delegation, Strabo's brother asked, "What should I call you?" to which Scato responded, "a friend by desire, an enemy by necessity." Aside from the evidence of a pleasant if ultimately failed negotiation, Cicero offers an interpretation of this exchange and of the Social War in general: "for the Allies did not seek to rip the citizenship from us, but to be received into it."[6] Cicero has separated civic membership in a community

[5] 2.5, "*Ego mehercule et illi et omnibus municipibus duas esse censeo patrias, unam naturae, alteram ciuitatis: ut ille Cato, quom esset Tusculi natus, in populi Romani ciuitatem susceptus est, ita, quom ortu Tusculanus esset, ciuitate Romanus, habuit alteram loci patriam, alteram iuris; ut uestri Attici, priusquam Theseus eos demigrare ex agris et in astu quod appellatur omnes conferre se iussit, et sui erant demi et Attici, sic nos et eam patriam dicimus, ubi nati, et illam qua excepti sumus. Sed necesse est caritate eam praestare e qua rei publicae nomen uniuersae ciuitatis est, pro qua mori et cui nos totos dedere et in qua nostra omnia ponere et quasi consecrare debemus. Dulcis autem non multo secus est ea quae genuit quam illa quae excepit. Itaque ego hanc meam esse patriam prorsus numquam negabo, dum illa sit maior, haec in ea contineatur....*"

[6] Cic., *Phil*., 12.27, "*Sex. Pompeium, fratrem consulis, ad conloquium ipsum Roma venire, doctum virum atque sapientem. quem cum Scato salutasset, 'quem te appellem?'*

from ethnic membership in a community. Ando summarized Cicero's position: "In the hierarchy of allegiances outlined by Cicero, loyalty to Rome occupies a superordinate position...."[7] Italian unity can only exist because of a shared Roman citizenship; if Rome and its citizenship were to dissolve, political links between the various Italian communities would also vanish.

Ando supposes Cicero developed his *duae patriae* as a response to a newly united Italy, and very likely it is an idea that could only be developed in the context of an at least uniting Italy.[8] But Cicero does not characterize his idea as a response to the Social War and the enfranchisement of the Allies; instead he projects his idea back into the second and third centuries BCE in the person of Cato the Elder. Cicero specified Tusculum and Arpinum as *patriae*; these cities conferred the Roman citizenship to their own citizens at birth. Tusculum had gained full Roman citizenship in 381 BCE during Camillus' sixth consular tribunate, and Arpinum c. 305 BCE *sine suffragio*, and full citizenship after 188 BCE.[9] Second, Cicero in *de Re Publica*, the companion work to *de Legibus*, makes Scipio Aemilianus base his account of Roman history on Cato's history.[10] The equivalence between Cato and Cicero in *de Legibus* should trigger the reader to understand that Cicero is speaking in Cato's voice, even if channeled through Aemilianus. Repeating Cato's account is in fact exactly what Cicero's

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inquit. at ille 'voluntate hospitem, necessitate hostem….' Non enim ut eriperent nobis socii civitatem, sed ut in eam reciperentur petebant."

[7] Ando, pp.133-134.

[8] p. 134, "Cicero has here crafted a completely different basis for Italian unity, namely, shared citizenship in the Roman state."

[9] For Tusculum, Livy, 6.26, Plut., *Cam*., 38; for Arpinum, Diod. Sic., 20.90; Livy, 38.36.

[10] Cic., *Rep*., 2.1.

Aemilianus claims to be doing when he embarks on his account of Roman history. If this is the case, then we have an account of additions to Roman citizenship and the *duae patriae* that Cicero described in *de Legibus*, ostensibly derived from Cato at least half a century before the Social War.

De Re Publica is a curious text. Although its existence was known due to Cicero's letters (*Fam.* 8.1.4, *Q F.* 3.5), most of the text itself, except for the portion known as the *Somnium Scipionis* (*Dream of Scipio*) and scattered fragments, disappeared, only to be rediscovered in 1820 CE as a palimpsest in a manuscript containing Augustine's commentary on the Psalms; one manuscript originally containing *de Re Publica* was recycled, the original text erased, and the Augustinian text covered over Cicero's work.[11] The surviving text is fragmentary because of the nature of its transmission. Nevertheless, we have recovered much of it intact. *de Re Publica*, like *de Legibus*, is an imaginary dialogue, this one set between Scipio Aemilianus, his great friend Laelius, and several other characters. Cicero claims his dialogue is an accurate account of a real conversation between Scipio Aemilianus and his friends recounted to him by Publius Rutilius Rufus, who served under Aemilianus in Spain.[12] Cicero stages this dialogue in Aemilanus' unspecified country estate, over a period of three days, the Latin holidays. The dialogue begins with the arrival of Scipio's friend Tubero, and Scipio's comment "Why are you so early, Tubero? For these holidays give you an excellent chance for getting on with your scholarship."[13]

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[11] C. Keyes, trans., *De Re Publica, de Legibus*, (Cambridge MA: Harvard University Press, 1928), p. x.

[12] Cic., *Rep*., 1.13.

[13] 1.14, "*Quid tu... tam mane, Tubero? Dabant enim hae feriae tibi oportunam sane facultatem ad explicandas tuas litteras.*"

We are lucky to have this text. Despite its fragmentary nature, it contains the earliest coherent narrative of the foundation of Rome that exists. While much of Cato's history is extant, what is extant survives because it was of interest to people looking for Virgil's source material, not for preserving Cato's account for its own value. No authentically "Catonian" history can be rescued from the fragments. Earlier Roman historians such as Fabius Pictor and Calpurnius Piso Frugi survive in only a few fragments, as do the early poets Ennius and Naevius. The history of Rome that Romans told themselves before the first century BCE is almost entirely lost. Although Cicero's text contains occasional lacunae, enough of the narrative survives to comprise 37 chapters narrating the period between Rome's foundation and the Decemvirate (traditionally 753 BCE – 449 BCE). This is the earliest, most completely foundation narrative that survives.

The decision to set *de Re Publica*. in an imagined past, and particularly to make Aemilianus the primary speaker presents a difficulty for readers, both ancient and modern. In November of 54 BCE, Cicero wrote to his brother Quintus (*Q fr.*, 3.5) that he had completed a draft of the first two books of his planned nine, with the speakers being Aemilianus *et al*., and had read them to his friend Sallustius. It was Sallustius' suggestion that Cicero set the dialogue in his own time and the discussion in his own voice, a suggestion Cicero incorporated in his revised plan. Indeed, Cicero felt compelled, in a second preface, this before his third book, to defend his staging of the dialogue in the past.[14] His justification for this choice, and the choice of his participants, is that these men were the most fitting to discuss the nature of the Roman state, due to both their practical experience in government and their education.

[14] Cic., *Rep*., 3.5.

Scipio Aemilianus also needs some explanation. As we will shortly see, Cicero largely avoids discussion of Rome's Italian allies, though at the time of his imagined dialogue the allies contributed to the central problem the Roman state faced: land distribution and the Gracchan reforms. Appian (*BC* 1.18-19) reports that when the commission that Ti. Gracchus established for the distribution of public land to Rome's urban poor muddled their survey so that it included not just land belonging to the Roman state, but also private land, some of it land belonging to the allies, in their redistribution scheme, the allies turned to Aemilianus for representation in the Roman courts. In the surviving text, Cicero alludes to these events only once through a very fragmentary speech Laelius delivers about the nature of justice (Cic., *Rep*., 3.41). The gist of the fragment is that Ti. Gracchus treated Romans well but abused the allies. The neglect of the allies in the rest of the work is striking for a imagined group of conversationalists chosen by Cicero in part because of their activity in the politics of their lifetime.

Before turning to Cicero's foundation narrative and his construction of Italians and their role in the Roman political system, it may be useful to ask what Cicero expected to gain from his use of an historical setting. We have already noted how Cicero defended this choice in the text of *de Re Publica* itself with the argument that Scipio Aemilianus *et al*. were the characters most fitting to discuss the nature of the state. However, this is not the justification he uses to explain his decision to Quintus; rather he says that he made use of an imaginary past to avoid giving offense to someone in his own time.[15] E. G. F. Powell supposes that Pompey might be included among the people Cicero is concerned with offending, and that

[15] Cic., *Q. fr.*, 3.5.2, "*Ego autem id ipsum tum eram secutus, ne, in nostra tempora incurrens, offenderem quempiam*." "Although I have followed that [plan, *i.e*. avoiding a contemporary setting] lest through bursting into our own time, I offend someone."

much of the praise of monarchy Cicero puts in Scipio's mouth is meant to construct an ideal monarch that Pompey clearly was not.[16] This, as Powell admits, anticipates Pompey's sole consulship in 52 BCE. But Cicero had found himself in political trouble earlier; in several letters penned between mid summer 56 BCE and October 55 BCE, he complains about his political situation in Rome. To Lentulus he writes that he must take care for his safety (*ad Fam*., 1.7.7), that he is compelled to abandon conviction for interest (1.8.2), that he has entirely lost his dignity and freedom (1.8.3); to Atticus, that his political options would make him appear insane, a slave or a captive (*ad Att*., 4.6.2), and to his fellow Arpinate Marius, that he is compelled by men to whom he owes favors to defend men to whom he does not (*ad Fam*., 7.1.5). While feeling so politically helpless as to fear he no longer had contributions to make to the state except to defend the friends of his benefactors, Cicero may have appreciated both the opportunity to avoid possible insult to his contemporaries, from whom he already felt alienated, and the opportunity to appropriate the gravitas of the dignified speakers that he felt he had lost. Cicero certainly is not trying to disguise his activity in transmitting these ideas (he did, after all, compose a preface for each day's conversation in his own voice), and the setting is a transparent fiction (as his friend Sallustius said).

Cicero's narrative is the earliest that survives in any coherent form, and his attribution of this narrative to Cato gives it a sense of antiquity. Cicero's is an odd treatment of Cato's history, though. Cato seems to have begun his history with what one would expect from an historian adopting what is after all a fundamentally Greek genre; the sack of Troy and the journey of Aeneas to Latium (for instance Chassignet fr. 1.8). Cicero, despite the admiration for Cato he makes Aemilianus claim, departs immediately from Cato's model, even while

[16] Powell, "Were Cicero's *Laws* the Laws of Cicero's *Republic*?" in Powell and North, eds., pp.27-28 and n. 32.

explicitly attributing his own rendition of Roman history to Cato's work by name.[17] Rather than addressing Homeric themes, Aemilianus begins his history of Rome with the birth of Romulus at Alba Longa. And while Cato showed significant interest in the ethnography of other people sharing the Italian peninsula (judging from the fragments of Cato's second book), Aemilianus seems to care little for them; he names the Rutuli (2.3), the Sabines (2.7), and the Latins (2.18), but he does not give them defining traits, discuss the geography or resources of their lands or even treat the narratives of different conflicts. About Ancus Martius' victory over the Latins Aemilianus merely says "when he had subdued the Latins in war, he added them to the citizenship."[18] Rather, Aemilianus is interested in the evolution of the institutions of Roman government; the establishment of a somewhat constitutional monarchy, the appointment of a Senate, and so on through the regal period and the early years of the Republic down to the Decemvirate. Cornell argues that Aemilianus' character, as constructed by Cicero, is not suited to having learned the history of Rome from books, but rather directly from Cato, and that the attempt to make a speech repeating the origin of the Roman people ("*repetet oratio populi Romani originem,*" *de Rep*. 2.1.3) is more a clue to Cicero's actual source than Aemilianus' imagined source.[19] As Cornell noticed, Aemilianus stresses his conversations with Cato as the source of his knowledge. In fact, Aemilianus opens Cicero's second book with an emphasis on Cato's conversation over a span of years, and especially Cato's opinion of the Roman constitution. Whether Aemilianus' account of

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[17] Cic., *Rep*., 2.2.3, "*Quam ob rem, ut ille solebat, ita nunc mea repetetet oratio populi Romani originem....*"

[18] 2.18, "*qui cum Latinos bello devicisset, adscivit eos in civitatem....*"

[19] T. Cornell, "Cicero on the Origins of the Republic," in Powell and North, eds., p. 43.

Roman foundations is in fact, as Cornell, contra Astin (1978), argues, a representation of the structure of Cato's first book is not a terribly important question here.[20] Despite apparent divergence between Aemilianus' history and the surviving fragments of the first book of Cato's *Origines*, placing the stress on conversation as the means of transmission gives Cicero a certain freedom to adapt the *Origines* (if indeed they are Cicero's source material) to the needs of a discussion of constitutions, and in fact Cicero uses conversation with Cato to introduce other information: Laelius in another context (too fragmentary to grasp, unfortunately) contributes a bit of Cato's biography which "we used to hear from the man himself...."[21]

"Evolution" of the Roman constitution probably is not the best descriptor. Aemilianus' institutions tend less to become reformed, and more to add novel institutions to existing ones, such that he can describe the tyrant "in the manner of Tarquinius, not obtaining new power, but using what power he has unjustly he would entirely overturn this sort of regal constitution."[22] The *lex Valeria*, the *leges Porciae*, the *leges* of Valerius and Hortentius, all laws regarding the right to appeal arbitrary decisions of magistrates, Cicero makes Aemilianus consider superfluous, since "the pontifical books declare there was a right to appeal even from the kings."[23] The effect, as Aemilianus claimed was his objective, is to illustrate through a real example the truth of Cato's claim that the Roman constitution,

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[20] Cornell, p. 43 n. 10; A. Astin, *Cato the Censor*, (Oxford, The Clarendon Press, 1978) p. 225-227.

[21] Cic. *Rep*., 3.40, "*...ex ipso audiebamus*...."

[22] 2.51, "*ut, quem ad modum Tarquinius, non novam potestatem nactus, sed, quam habebat, usus iniuste totum genus hoc regiae civitatis everterit*."

[23] 2.54, "*Provocationem autem etiam a regibus fuisse declarant pontificii libri....*"

because it had been developed by many people over a period of time, is superior to the constitutions of the Greeks, which had been established by single lawgivers.[24]

Italians receive direct treatment ten times in Cicero's 37 chapters, most often in context of war.[25] Although Cicero names several tribes, he supplies no characteristics to distinguish one tribe from another. For example, at 2.20.36 he writes, "After that, he [Lucius Tarquinius, known as Tarquin Priscus in Livy] subdued the great and ferocious people of the Aequi, who were threatening the affairs of the Roman people, and also he repulsed the Sabines from the walls of the city, put them to flight with cavalry, and overcame them in war."[26] This passage is actually a bit more generous than most; Cicero here bothers to assign the Aequi adjectives. In nearly every case Cicero treats Italians as victims of war and material for plunder, but gives them no more thought than that.

Cicero does treat three cases at some length. These are the Sabine women and Titus Tatius, Numa Pompilius, and Lucius Tarquinius whom I mentioned above. All three of these cases have to do with integrating Italians into Roman government, and lay out the conditions under which such integration is acceptable; namely, legal admission by the passage of a *lex* in the Roman assembly, and acculturation to Roman traditions, especially Latinity.

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[24] 2.2. Cornell, "Cicero on the Origins of the Roman Republic," *passim* for the notion that Aemilianus uses Roman history as an historical framework for a theoretical discussion of the perfect state.

[25] Cic., *Rep*., 2.2.4 (Alba Longa), 2.2.5 (Rutuli and Aborigines), 2.7.12-14 (Sabines), 2.9.15 (anonymous "neighbors"), 2.13.25 (Sabines again), 2.18.33 (Latins), 2.19.34 (Etruscans), 2.20.36 (Aequi and Sabines yet again), 2.21.38 (Etruscans again), 2.24.44 (Latins again).

[26] 2.20.36, "*postea bello subegit Aequorum magnam gentem et ferocem et rebus populi Romani imminentem, idemque Sabinos cum a moenibus urbis reppulisset, equitatu fudit belloque devicit.*"

Cicero treats the Sabine Women over chapters 2.7.12-2.8.14. The Sabines here are isolated (as opposed to Livy's account, in which they are accompanied by Latins) but valiant; they force Romulus into negotiations with Titus Tatius. The pleas of the women for peace only occur as an afterthought. Romulus offers Tatius a shared monarchy in exchange for incorporating the Sabines into Roman society, and it is here that Cicero raises the point interesting to us. Romulus had already established a Senate, but in Cicero's telling only after Titus Tatius died, thereby removing foreign influence from Roman government, did Romulus begin to offer any concessions to that body. In other words, Italian influence in Roman government prevented the development of the Republican form of government.

Sabines become an issue again upon the death of Romulus and the election of Numa Pompilius to the throne.[27] We are told Numa is a resident of Cures. This indicates Numa was not one of the Sabines incorporated into the state by Romulus, but was indeed a foreigner (Cures being, as Büchner (1984) tells us, the Sabine capital).[28] Büchner notes that Cicero neglects a tradition preserved for us in Plutarch that Numa had married Titus Tatius' daughter; by this device Cicero emphasizes the election to royal office rather than privilege derived from familial connections. As a matter of fact Cicero explicitly dismisses the latter as grounds for accepting Numa: the Roman people sought "virtue and regal wisdom, not descent."[29] Numa requires no special pleading to enter office (again, unlike the account in Plutarch, in which the selection of Numa was a careful political compromise), although he does take special care of legal formalities. Rather than Titus Tatius, who was unelected and

[27] 2.13.25-2.14.27 summarizes Numa's rule.

[28] K. Büchner, *De Re Publica,* (Heidelberg: Carl Winter, 1984), p. 194.

[29] Cic., 2.12.24, "*virtutem et sapientiam regalem, non progeniem....*"

seems to remain a bit un-Roman, the naturalization of Numa is complete and absolute, to the extent that Cicero's Laelius can claim, with respect to agriculture and the cults Numa introduced, “we were educated in arts neither from overseas nor imported, but by genuine and domestic virtues.”[30] Cicero also uses this opportunity to define “Roman” in opposition to “Greek” by rejecting the notion that Numa received instruction from Pythagoras. That is in fact the main import of Laelius' claim just mentioned.

The last integration of Italians Cicero treats at any length is the ascension of the Etruscan Tarquinius to the throne. Tarquinius carefully cultivated the Roman electorate by benefices and assimilation to Latin customs; Cicero points out in particular the Latinization of his name.[31] Tarquinius continued his policy of emphasizing the Roman – he institutes the “Roman” games and makes vows to Rome's patron deity. Tarquinius does attempt to change the names of tribes Romulus established, but the augur Attus Navius prevented that meddling.[32]

One final interesting aspect of Cicero's foundation narrative is his omissions. I noted above that Cicero makes Aemilianus claim Cato as his authority for his account. However Cicero seems to have neglected a very significant step in the founding of the city; namely Aeneas' flight from Troy. Cicero begins his account with Romulus and refers to no more distant past than the destruction of Alba Longa and the overthrow of the Alban king

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[30] 2.15.29, “*non esse nos transmirinis nec inportantis artibus eruditos, sed genuinis domesticisque virtutibus*.”

[31] 2.20.35, “*itaque mortuo Marcio cunctis populi suffragiis rex est creatus L. Tarquinius; sic enim suum nomen ex Graeco nomine inflexerat, ut in omni genere huius populi consuetudinem videretur imitatus*.”

[32] 2.20.36.

Amulius.[33] However, we know from Cato's fragment 1.6 among others (there are seven surviving attestations from the first book that reference Aeneas or Ascanius), that Cato gave some treatment to the story of Aeneas' flight from Troy and settlement in Italy.[34] Exactly what Aeneas is doing in Cato is problematic. Is the use of a Greek foundation myth merely because Cato, lacking a Latin precedent for the genre of history, was trapped by the conventions of Greek historians, as Beck (2005) suggests, and so is not really a representation of Roman ideas of Roman history?[35] Or, as Astin (1978) suggests, was Cato unconcerned about conforming to Greek conventions, and we should read his mention of Aeneas as a variant foundation myth with significant popularity at Rome?[36] If we accept Astin's position, that Cato's use of Aeneas is purposeful and conveys meaning, Cicero's omission of the same tradition isolates the foundation of Rome from Greek roots quite effectively. Alba Longa, the only precursor to Rome Cicero bothers to mention, simply exists without etiology. On the other hand, Beck's position, that the occurrence of Aeneas in Cato is simply the product of a Roman historian's being hamstrung by the conventions of his genre, implies that Cicero is actively working against Greek influence in his own account of Roman history. In either case, Cicero seems to be stripping either Roman history or the Roman historian of foreign influence.[37]

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[33] 2.2.4-5.

[34] H. Beck, and U. Walter, *Die Frühen Römischen Historiker*, Band I: *Von Fabius Pictor bis Cn. Gellius,* Band 76: *Texte zur Forschung,* (Darmstadt: Wissenschaftlich Buchgesellscheft, 2005), p. 159; Servius, *in Vergilium Commentarius*, 1.6.

[35] p. 170.

[36] Astin, p. 236.

[37] Some might suggest that the omission of Aeneas was more a slight of Julius Caesar than a comment on Greek influence on the past, but Cicero had not yet broken with Caesar

Cicero seems to have three concerns with integrating Italians into Roman government. First, the primacy of the choice of assemblies. Numa Pompilius and Lucius Tarquinius both took special action in order to make sure the Roman assembly had followed the proper legal forms to legitimate their rule.[38] This care for procedure allowed these kings to make innovations to the Romulan constitution (although I have already mentioned one case where Tarquin failed in his reforms), whereas Titus Tatius received no mandate besides the agreement of Romulus, and this (as noted above) only delayed the influence of the Senate in the government of Rome. The second point is the assimilation of Italians to Roman practice and language. I already mentioned the Latinization of Tarquinius' name and his promotion of the "Roman" in games and oaths, but Cicero also noted the religious conformity Romulus imposed on the Sabines: "by which treaty he both adopted the Sabines into the state while religious rights became shared in common, and associated his own rule with their king."[39] Third, and the corollary to the first, Cicero's Rome is capable of accommodating Italian forms and practices given that they do not overturn Roman tradition. Numa introduced a number of innovations without controversy: land reform, priestly orders, games, and markets.[40] All of these are additions to Roman tradition, not a replacement of previous

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when he composed the *de Re Publica*.

[38] Cic., 2.13.25 for the special law Numa had passed, and 2.20.35 for the election and special law of Tarquin.

[39] 2.7.13, "*quo foedere et Sabinos in civitatem adscivit sacris conmunicatis et regnum suum cum illorum rege sociavit*."

[40] 2.14.26-27.

traditions. In contrast, when Tarquinius attempted to rename the tribes Romulus originally named, he found himself prevented by the opposition of an augur.[41]

Cicero's treatment of the Italians of the past conforms to his treatment elsewhere, in contemporary contexts. Ando, in his analysis of Cicero's understanding of Italian unity from Cicero's non-historical writing, concludes:

> In the hierarchy of allegiances outlined by Cicero, loyalty towards Rome occupies a superordinate position: its laws and its culture provide the normative fabric that will, to borrow the phrase of Rutilius Namatianus, 'create from distinct and separate nations a single fatherland.' ...Furthermore, at a purely emotive level the Ciceronian model held an obvious appeal for those born and bred in the *municipia* of Italy....[42]

The ability of Rome in Cicero's foundation narrative to adopt Italian innovation so long as the established traditions of Rome remain unchallenged, and the emphasis he places on the *lex* of the assembly and latinity reinforce his own position as someone of municipal birth participating in the highest levels of Roman government; that is, Cicero privileges law and education over descent. These same concerns appear in Cicero's more contemporary works. Adams, for instance, has argued that Cicero links latinity closely to law as a source of Roman unity: "Cicero (*Verr.* 5.167) speaks of Roman citizens bound together by community of language, among other things.... The [Latin] language is here placed on a par with Roman law as a shared attribute of Roman citizens."[43] The concerns Cicero shows for the

[41] 2.20.36.

[42] Ando, pp.133-134.

[43] J. Adams, "'Romanitas' and the Latin Language," *Classical Quarterly,* 2003 53 (1), p.185.

qualifications for citizenship he describes in his primordial past are the concerns he demonstrates for his own times. When in 43 BCE Cicero wrote about his own experience of the Social War, he represented the rebel general Publius Vettius Scato as seeking to join the Roman community, rather than disrupting it.[44]

Livy and Ab Urba Condita 1

As much as Cicero, a *novus homo*, might have felt himself something of an outsider, he descended from Roman if municipal stock. Livy's relationship to Rome and Italy is much more difficult than Cicero's to tease out. We know almost nothing about his life; Jerome believed he was born in 59 BCE, but some scholars prefer the date of 64 BCE.[45] Livy was born in Patavinium in Transpadane Gaul; this area received the Latin Right in 89 BCE by a law of Cn. Pompeius Strabo (the father of the great Pompey), and the full citizenship in 49 BCE during Caesar's dictatorship, although it remained a province until Octavian incorporated the territory into Italy in perhaps 42 BCE as part of his arrangement with Marc Antony and Lepidus, his partners in the Second Triumvirate.[46] The extension of the Latin Right provided a means for residents of Transpadane Gaul to acquire full Roman citizenship, but this was not a guarantee that Transpadanes could take advantage of the privileges that citizenship offered; for instance in 51 BCE the consul Marcellus whipped a magistrate and Roman citizen from the colony of Comum, explicitly to demonstrate that the Transpadane

[44] Cic. *Phil*. 12.27, "*non enim ut eriperent nobis socii civitatem, sed ut in eam reciperentur petebant*."

[45] Jerome, *Chron*., 164H; Syme, "Livy and Augustus," *Harvard Studies in Classical Philology*, vol., 64, (1959), p. 40.

[46] A. N. Sherwin-White, *The Roman Citizenship*, 2nd ed., (Oxford: Oxford Univesrity Press, 1980), pp. 157-159.

was not a proper citizen.[47] At the time, Cicero wrote to Atticus that "Marcellus acted badly to the man from Comum. Even if he had not been a magistrate, he was a Transpadane. So he seems to me to have acted no less to our distaste than to Caesar's."[48] This kind of ambiguous treatment of Transpadanes might have left a young Livy uncertain of his civic status until Antony and the tyrannicides ratified the acts of Caesar in 44 BCE, when Livy would have been between fifteen and twenty years old.

Livy moved in high circles in Rome; Augustus was supposed to be familiar enough with him to joke about his Pompeian sympathies,[49] and the historian Asinus Pollio, himself consul in 40 BCE, could comment on Livy's provincialism.[50] These are problematic comments. Ridley (2001) reminds us that Augustus' comment represents only what Tacitus thought people living under Tiberius thought about the relationship between Augustus and Livy, and may not reflect any historical interaction the two might have had.[51] If we do accept the comment as authentic, a second possibility occurs: Pompey's father, as I noted above, had been responsible for extending the Latin Right to Transpadane Gaul; perhaps Livy's praise of Pompey represents not so much Republican sympathies as sympathies of a client. Augustus'

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[47] Plut., *Caes*., 29.

[48] Cic., *Att*., 5.11.2, "*Marcellus foede in Comensi. etsi ille magistratum non gesserat, erat tamen Transpadanus. ita mihi videtur non minus stomachi nostro quam Caesari fecisse*."

[49] Tac., *Ann*., 4.34, "*Titus Livius, eloquentiae ac fidei praeclarus in primis, Cn. Pompeium tantis laudibus tulit ut Pompeianum eum Augustus appellaret; neque id amicitiae eorum offecit*." R. T. Ridley, "Eulogy of the Lost Republic or Acceptance of the New Monarchy? Livy's *Ab Urbe Condita*," *Antichthon,* 2001 44: pp. 68-95, provides a recent account of the state of scholarship on this comment.

[50] Quintilian, *Institutio Oratia*, 1.5.56, 8.1.3.

[51] Ridley, p. 72.

comment would then recall Livy's provincial origin (also, the notion that Augustus, the supposed restorer of the Republic, would criticize someone for being republican seems a bit odd). This would nicely match Pollio's jab at Livy's excessive *patavinitas* – Paduanity, perhaps? That comment itself has spawned volumes of scholarship. Here I have no intention to engage with what Pollio meant; I only mention Flobert's (1981) suggestion that, whatever Pollio meant, he said what he said because disparaging Livy on more traditional grounds, such as *rusticias* – coming from the countryside, would expose Pollio, who was a descendant of Italian and not Roman stock, to a similar charge.[52]

Whereas Cicero's main concern was the development of the institutions of the Roman state almost exclusively, Livy explores a number of topics ranging from etiology of the landscape to ritual speech, including the political development of the city, the organization of the army, and omens among other things, all of which he treats with a flair for dramatic narrative and vivid description. Feldherr noticed that among these topics, the notion of citizenship had particular currency:

> The making of citizens was not just a matter of historical interest.... Rather, the historian's treatment of the past highlights a crucial issue in contemporary political life.... [The] importance of citizenship as an issue in Livy's text is not

[52] P. Flobert, "La patavinitas de Tite-Live d'après les mœurs littéraires du temps," *Revue des Études Latines,* (1981) 69, p. 205. On Pollio's Italian heritage, H. Galsterer, "Rom und Italien von Bundesgenossenkriege bis zu Augustus," *Herrschaft ohne Integration: Rom und Italien in Republikanischer Zeit,* Band 4, *Studien zur Alten Geschichte,* M. Jehne, and R. Pfeilschifter, eds, (Frankfurt: Verlag Antike, 2006), p. 293, claims Pollio was not only descended from Herius Asinius, one of the Italian generals in the Social War, but named his son after his ancestor as well – that is, he was proud of his Italian heritage. This position is not orthodox, and if correct would suggest the charge of *patavinitas* means not that Livy came from the sticks, but was not even Italian.

> restricted to those in his audience who, like Livy himself, were not native Romans.[53]

Not only the number of references to Italians supports Feldherr's observation, but also the diversity and quality of Livy's treatment. While a number of different ethnicities and localities make appearances in his first book, he is primarily interested in the Latins and Sabines. This last group were Oscan speakers from central Italy. Of particular interest is Livy's account of the incorporation of the Sabines and (the Latin) Alba Longa into Rome and the alliances Rome developed with its Latin neighbors.

One quick note on Trojans. Livy provides an account of the ancestors of Rome and Patavinium, Aeneas and Antenor respectively.[54] He first presents a (very) short account of the exploits of Antenor, and then turns to Aeneas. For Feldherr this is an important move: "Implicit at the beginning of the *History* is the choice between two *patriae*, Rome and Padua, and the creation of Rome as a nation is synchronized with the historian's adoption of Roman nationality...."[55] That Livy self-identified as Roman is so commonly assumed that one translator renders Livy's first sentence as, "The task of writing a history of our nation from Rome's earliest days fills me, I confess, with some misgiving..." although the Latin Livy actually wrote only provides the more ambiguous "*res populi Romani*" for "a history of our nation."[56] Even were Livy to express explicitly some identification with Rome, reading his

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[53] A. Feldherr, *Spectacle and Society in Livy's History,* (Berkeley: University of California Press, 1998), pp. 114-115.

[54] Livy, 1.1.

[55] Feldherr, 113.

[56] Livy, 1.1;. A. de Sélincourt, trans., *The Early History of Rome: Books I-V The History of Rome from Its Foundations* (London: Penguin Group, 1960).

account of Aeneas this way neglects his preface, in which he says the affairs before the founding of Rome were more worthy of poetry than "incorruptible reminders of deeds done."[57] It is only with Romulus that Livy enters into any territory of which he feels certain, and Livy is even suspicious of his birth, wondering whether his mother Rhea Silva really believed the father was the god Mars.[58] Like Cicero, who as we have seen neglects Aeneas entirely, Livy reduces the Trojan origin to a provincial legend to be quickly passed over in favor of surer knowledge. In these legends, Padua, not Rome, might have become the new focus of the Trojan world.

The closest treatment Livy gives Italians under Romulus is the case of the Sabine Women. Here he begins making distinctions between different types of Italians. In Livy (unlike in Cicero), the Sabines attend the Consualia along with the residents of Caenina, Crustumium, and Antemnae, Latin cities.[59] The Romans seized the women of both nationalities without discrimination. Here Livy starts to distinguish between the two groups: Titus Tatius, the Sabine king, begins to send and receive embassies to and from the injured parents.[60] Tatius is, in this moment, a potential unifying political center alternative to Rome. The Latins, though, are too impatient to wait for Tatius' preparations, and attack Rome separately, allowing Romulus to defeat them in detail easily. Romulus, on the request of his wife, allows the parents of the Latin women to relocate to Rome, while Crustumium and

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[57] 0.6, "*Quae ante conditam condendamve urbem poeticis magis decora fabulis quam incorruptis rerum gestarum monumentis traduntur....*"

[58] 1.4. Note, for instance, Livy's hesitancy about the identity and descent of Ascanius or Iulus; Livy, 1.3.

[59] 1.9.9.

[60] 1.10.2, ff.

Antemnae he establishes as colonies. Not all of the new immigrants to Rome are directly related to the stolen women; Livy says, "And thence there was a large migration to Rome, especially of the parents and relatives of the stolen women."[61] The implication is Latin immigration to Rome was not dependent on strong familial connections, although in the absence of these Rome might be less attractive.

Livy treats the Sabine story at length. Tatius carefully plots a treacherous but successful storming of the Capitol and brings the Romans into danger of defeat. Here, Livy makes his Sabine women intervene with special pleading:

> Then the Sabine Women, from whose injury the war had arisen, with loosened hair and rent clothing, once the bad situation overcame their feminine alarm, daring to thrust themselves between the flying spears, they rushed in from the sidelines separating the dangerous battle lines, separating angers, some speaking to their fathers and some to their husbands lest they splatter themselves with the defiling blood of their relatives, lest they pollute with parricide their own offspring, the grandchildren of one side and children of the other. "If marriage, the relationship between you, brings shame [*si adfinitatis inter vos, si conubii piget*], direct your anger against us; we are the *causa belli*, we are the causes of wounds and death for our husbands and fathers. Better we die than we live as widows or orphans without either of you." Those speeches moved both the multitude and the chiefs; suddenly there was silence and stillness; thence came forward the chiefs

[61] 1.11.4, "*Et Roman inde frequenter migratum est, a parentibus maxime ac propinquis raptarum*."

to make a treaty. Nor just peace they made, but one state from two.[62]

Livy makes it clear that the issue is *conubium*, that is, the legal relationship of two communities necessary to produce legitimate children and citizens. The argument is effective; not only do the women successfully end the war, but Romulus and Tatius join force and make a single state: *civitatem unam ex duabus faciunt*. Livy addresses this theme again; some four books later he explicitly conflates *conubium* and *civitas*.[63] For him, Romans and Sabines are close enough to produce legitimate children, and should be close enough to participate equally in government. A point of particular interest: Livy's Sabine Women do not direct their argument towards Romans alone, but towards their Sabine relatives as well.[64] The impulse to incorporate the Sabines in the Roman state is foreign to the Sabines, whereas the Latins apparently took enthusiastically to immigration.

Livy returns to the Sabine problem in his narrative of Numa's selection as king. Here, after the death of Romulus, the Sabines begin to fear for their position in the state (*in*

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[62] 1.13.1-5, "*Tum Sabinae mulieres, quarum ex iniuria bellum ortum erat, crinisbus passis scissaque vestre victo malis muliebri pavore ausae se inter tela volantia inferre, ex transverso impetu facto dirimere infestas acies, dirimere iras, hinc patres hinc viros orantes, ne se sanguine nefando soceri generique respergerent, ne parricidio macularent partus suos, nepotum illi, hi liberum progeniem. 'si adfinitatis inter vos, si conubii piget, in nos vertite iras; nos causa belli, nos vulnerum ac caedium viris ac parentibus sumus; melius peribimus quam sine alteris vestrum viduae out orbae vivemus.' movet res cum multitudinem tum duces; silentium et repentia fit quies; inde ad foedus faciendum duces prodeunt; nec pacem modo, sed civitatem unam ex duabus faciunt*."

[63] 4.3-5; M. Panciera, "Livy, *Conubium*, and Plebeians' Access to the Consulship," in *Augusto Augurio: Rerum Humanarum et Divnarum Commentationes in honorem Jerzy Linderski,* ed. C. F. Konrad, (Stuttgart: Franz Steiner Verlag, 2004), pp. 89-99.

[64] 1.13.3, *"si adfinitatis inter vos, si conubii piget, in nos vertite iras; nos causa belli, nos volnerum ac caedium viris ac parentibus sumus; melius peribimus quam sine alteris vestrum viduae aut orbae vivemus*."

societate aequa (*possessionem imperii amitterent*), whereas the old Romans (*Romani veteres*) detest the possibility of a foreign (*peregrinum*) king.[65] Straight away we notice that Livy's description of the end of the Sabine war – "from two people they made a single state" – does not have as much finality as it seemed. Livy is able to distinguish different Romans according to their origins, and each has different expectations about their respective roles in the state. The Sabines fear the possibility of a reduction of their status (which they now seem to embrace), while the old Romans remain conscious of the foreign origin of the Sabines and hope to isolate them from offices of power.

This also became the opportunity for the Senate to grab power from the people; fearing revolution if the people did not select a king by popular election, the Senate allowed popular elections so long as the Senate might ratify the vote. In gratitude for the grant of their new power, the people passed up the opportunity to hold an election, and welcomed the choice of the Senate.[66] There are two issues for our consideration here; Livy imagines the role the Sabine issue might play in government as both an issue of domestic politics *per se*, and as a tool the aristocracy can use to manipulate the masses. Livy offers a fuller exploration of this sort of manipulation of Italians under the rule of Tarquin Superbus, where we also will return to it. The second point is that Numa gained the throne not by the passage of a *lex* through the assembly, as in Cicero's account, but by Senatorial decree. Numa found this an insecure foundation for rule, and, following Romulus' precedent, ordered omens taken for confirmation.[67]

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[65] 1.17.2.

[66] 1.17.7-11.

[67] 1.18.6-10.

Feldherr provides a lengthy treatment of Livy's most detailed account of an Italian integration, that of the fall of Alba Longa. Feldherr describes Livy's use of a number of strategies for defining and conflating Roman and Alban identity though this passage, focusing often on the shared spectacles the two people watch together, doubling of combats and sacrifices, even Livy's reliance on pronouns to confuse the two groups.[68] Feldherr argues that the narrative destruction of the city "constitutes a challenge in perspective for [Livy's] contemporary audience.... The conflict between Rome and Alba... becomes a means of articulating and responding to one of the central crises of Livy's day, the fault lines implicit in the construction of a Roman national identity,"[69] but concludes, "when Tullus Hostilius claims that, by bringing together Alba and Rome, he is in fact reunifying what had been in the past one city, the Albans find not only their state absorbed by Rome but their history as well. Rome's past now encompasses Alba's, just as Rome's centurions surround her soldiers."[70]

Here, I intend only mention one or two points of distinction between the fall of Alba and other Italians Livy wants to integrate with Rome. First, a significant distinction from the Sabine and Latin cases I examined earlier, Alba and Rome appear to have shared *conubium*, as evidenced by the unfortunate death of Horatia, whose brother killed her for lamenting the death of her Alban fiance in battle against Rome.[71] Livy imagines the relationship between

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[68] Feldherr, pp. 112-164.

[69] p. 125.

[70] p. 163. I suspect the Albans Livy imagines observing the drawing-and-quartering of their commander felt less absorbed than contained.

[71] Livy, 1.26.2, "*quae desponsa uni ex Curiatiis fuerat*...."

these two cities as even closer; Livy describes the potential conflict between them earlier as "similar to civil war, almost between fathers and sons..." and, echoing his judgment on the outcome of Rome's Sabine conflict, Livy praises the outcome, "two people were mixed into one."[72] However, unlike the Latins and Sabines before, Livy allows the residents of Alba Longa to speak for themselves; in the parley before the battle the Alban commander Mettius Fufetius says:

> I seem to have heard our king Cluilius name injuries and not giving over the things which were demanded according to the treaty to be the cause of this war, nor do I doubt that you, Tullus, ascribe to the same story yourself; but if truth should be spoken rather than lies, it is desire for empire that drives two related and neighboring people to arms… discontent with sure liberty, we proceed to a dubious gamble of empire and servitude….[73]

Mettius has no concern for familial ties to Rome; for him the issue is one of outright domination, an issue that overrules concerns of treaties or legal rights.

Although Livy as narrator tells us the result of the ritual combat mixed two people into one, the end of this portion of his narrative leaves the Albans still under arms and their city standing. Tullus Hostilius deprived them of their sovereignty in international affairs, and expects to call on them as allies in case of war, but does not seem to meddle with any

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[72] 1.23.1-2, "*civili simillimum bello, prope inter parentes natosque...*" "*duo populi in unum confusi sunt.*"

[73] 1.23.7-9, "*iniurias et non redditas res ex foedere quae repetitae sint et ego regem nostrum Cluilium causam huiusce esse belli audisse videor nec te dubito, Tulle, eadem prae te ferre; sed si vera potius quam dictu speciosa dicenda sunt, cupido imperii duos cognatos vicinosque populos ad arma stimulat…. itaque, sinos di amant, quoniam non contenti libertate certa in dubiam imperii servitiique aleam imus….*"

domestic business.[74] The integration of the two states only occurs later, after Mettius proves to be an unfaithful ally. The treachery cost Mettius his life, and the people of Alba Longa their city.[75] Livy describes the destruction and evacuation of Alba Longa exclusively as the experience of the Albans, "but a sad silence and quiet melancholy transfixed all minds, so that forgetting on account of their fear what to leave and what to take, lacking plans and inquiring of each other, now standing in their doorways, now wandering randomly they passed through their homes a final time."[76] This is the most pathetic episode in Livy's first book, excepting perhaps the death of Lucretia, despite the apparently good intention Tullus has in transferring the Alban population to Rome:

> that it may be happy and beneficial for the Roman people and myself and for you, Albans, I intend to take the entire Alban people to Rome, to give citizenship to the plebs, to chose the chief men as senators, to make one city, one Republic; since once the Alban state had been divided from one into two people, so let it now be returned to one.[77]

The Albans immediately respond to this pronouncement with silence. In other words, Livy describes Tullus permanently silencing a non-Roman voice, one that Mettius at least

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[74] 1.25.1.

[75] 1.26-1.28.

[76] 1.29.3, "*sed silentium triste ac tacita maestitia ita defixit omnium animos, ut prae metu obliti quid relinquerent, quid secum ferrent, deficiente consilio rogitantesque alii alios, nunc in liminibus starent, nunc errabundi domos suas ultimum illud visuri pervagarentur.*"

[77] 1.28.7, "*Quod bonum faustum felixque populo Romano ac mihi vobisque, Albani, populum omnem Albanum Romam traducere in animo est, civitatem dare plebi, primores in patres legere, unam urbem, unam rem publicam facere; ut ex uno quondam in duos populos divisa Albana res est, sic nunc in unum redeat.*"

though could potentially offer an imperial alternative – Alba Longa might have enslaved Rome. The drive to incorporate the Albans into the Roman state originates in Rome, and the Albans meet it with violence, then duplicity, and finally submission. This is not, as Cicero claims of the Allies during the Social War, a people who "sought not to snatch the state from us, but to be received into it."[78]

The Alban narrative is the first of Livy's to treat any Italians as allies. Under later kings Livy develops this topic. Servius Tullius, Livy relates, wanted to extend the influence of Rome by means other than military. Therefore, he befriended the Latin elite and told them about the fantastic temple of Diana at Ephesus, its construction by a coalition of Asian communities, and the peace the project and shared cult brought to the area. The Latins were convinced, and contributed to building a similar temple at Rome. Livy's editorial comment here is "That [the establishment of a cult of Diana at Rome] was the admission that Rome was head of affairs, about which there had been often contention with weapons. ...now it seemed because of the often unlucky temptation to arms every care of the Latins was lost…."[79] This religious association becomes the basis for Rome to exert political control, both in Livy's narrative and, Sherwin-White argues, in actual fact.[80] In addition to building the groundwork for Rome's later Latin alliances, it allows Livy to interject one more anecdote of dissent. The Latins are not bothered by Roman supremacy, but a Sabine saw the

[78] Cic., *Phil*., 12.11.27, "*non enim ut eriperent nobis socii civitatem, sed ut in eam reciperent, petebant"*

[79] Livy, 1.45.3, "*ea erat confessio caput rerum Romam esse, de quo totiens armis certatum fuerat. id quamquam omissum iam ex omnium cura Latinorum ob rem totiens infeliciter temptatam armis videbatur, uni se ex Sabinis fors dare visa est privato consilio imperii reciperandi*."

[80] Sherwin-White, 11-15.

possibility of overcoming Roman hegemony though manipulating the new cult practice. The plan ultimately backfired.[81]

This religious organization would become the mechanism Tarquin Superbus used to organize the Latin cities into a military alliance. Livy presents this in a curious way; with a list of crimes and abuses Tarquin perpetrated during his rule. These include executing senators, using a bodyguard, exercising authority without election,[82] monopolizing the judicial process, imposing arbitrary confiscation of property, exile, execution, failing to consult the Senate in matters of foreign policy, and finally, making efforts to gain support among the Latins: "He was trying to make especially the clan of the Latins friendly to himself so that with foreign resources he would be safer among the citizens."[83] Livy describes here the realization that non-Romans can offer a base of power to Roman politicians outside of the traditional structure of Roman government.

Livy continues: Tarquin summoned the leaders of the members of the cult to a meeting to discuss common business. While the other leaders arrive on time, Tarquin was late, and his tardiness inspired a speech from one Turnus Herdonius. Turnus berated the absent Tarquin for his disrespect to the Latins, and accused the absent king of ambitions against all Latium. Tarquin, when he arrived, heard the end of the speech and resolved to have Turnus executed on trumped up charges. When the meeting resumed, Tarquin offered this proposal:

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[81] Livy, 1.46.

[82] This is actually a bit of a rarity. Of the seven kings of Rome, Romulus, Numa, Servius Tullius and Tarquin Superbus ruled without being openly and fairly elected (Numa, recall, was elected by the Senate, not the people, and Servius Tullius executed a lengthy ruse to ensure his transition into power).

[83] Livy, 1.49.8, "*Latinorum sibi maxime gentem conciliabat ut peregrinis quoque opibus tutior inter cives esset...*" 1.49 contains the entire catalog of crimes.

> He was able to do this by ancient right, because, since all the Latins from Alba, they were bound by that treaty, by which under Tullus the whole Alban state with all their colonies surrendered to Roman empire; yet he thought for the greater utility for all that the treaty be renewed, so that the Latins might enjoy the good fortune of the Roman people rather than endure the destruction of cities and devastation of fields, which they either expected or suffered first when Ancus was king, and then when his own father ruled.[84]

The Latins took the hint, although, as Livy explains, "though by that treaty the Roman state was in a superior position."[85] The treaty Tarquin referred to is of course the one between the Romans and the Albans we've already considered, which Mettius Fufetius characterized as one determining issues of empire and slavery. In this case too, Livy makes the Roman snuff out an objecting, Italian voice when he makes Tarquin kill Turnus (who was correct in his accusation against Tarquin), and Livy brings into near equivalency the status of slave and ally – by ceding their own control of international affairs, the Latins can preserve their domestic sovereignty; alternatively they can expect the same fate – and implicitly the same citizenship – as Alba Longa suffered.

Livy's use of Romans, Latins, and Sabines allows individuals, especially those with familial connections to Rome, to assimilate more or less seamlessly with the Roman state, where as assimilating whole communities urges those communities (especially the Sabines)

[84] 1.52.2-3, "*posse quidem se vetusto iure agere, quod, cum omnes Latini ab Alba oriundi sint, eo foedere teneantur quo ab Tullo res omnis Albana cum coloniis suis in Romanum cesserit imperium; ceterum se utilitatis id magis omnium causa censere ut renovetur id foedus, secundaque potius fortuna populi Romani ut participes Latini fruantur quam urbium excidia vastationesque agrorum, quas Anco prius, patre deinde suo regnante perpessi sint, semper aut exspectent aut patiantur.* The whole account is contained in 1.49-52.

[85] 1.52.4, "*quamquam in eo foedere superior Romana res erat....*"

to test multiple strategies of resistance, from duplicity to violence, while simultaneously preserving a mistrust of the institutionalized processes of naturalization. Meanwhile Rome extends its hegemony over the local Italians through duplicity, threats, and outright violence, and Roman leaders see Italians as forces to manipulate for advantage in their own internal politics rather than as partners in a joint project – even the one joint project Romans suggested, the building of the temple to Diana, was in fact a ploy to bring Latins further into the sphere of Roman control.

If Suny is correct, and we can read these representations of primordial Rome and Italy as a reflection upon the political situation of their authors, we can begin to reconstruct some aspects of a debate contemporary with Augustus about the role and history of Italians in Roman government. In the two cases of foundation narratives I have presented here, we can read one, the product of a republican Roman consul who had fought Italians, and one of a non-Italian by birth but naturalized Roman under the Principate, and a private citizen who never held office. The first presents the integration of Italians as dependent on the vote of the Roman assembly, assimilation to Roman customs and Latin language, and, once achieved, a secure gain. The second presents the citizenship granted by law as unsure, potentially withheld after the fact, and best secured by other bonds such as *conubium* and access to office. In addition, Livy supplies a number of dissenting voices that are equally ambitions for political hegemony that Rome must eliminate before becoming secure in its position. Livy's representation of the Italian assimilation to Rome demonstrates that, whatever level of cultural and linguistic assimilation had occurred since Cicero fought against the Italian rebels in the early 1st century BCE, a non-Roman consciousness continued to exist in Rome's intellectual environment and found ways to express Italian voices in objection to Roman rule.

Ovid

The emphasis on Rome to the detriment of Italy is not unique to Cicero. Ovid, like Cicero, was born outside Rome. Sulmo had been a town of the Paeligni, an Apennine people who had participated in the Allied rebellion of 91-89 BCE and entered the Roman citizenship with the legislation of 89 BCE. [86] Ovid also adopted Rome, and like Cicero, Ovid experienced exile from Rome. Nevertheless, Ovid's world, in which Augustus dominated the state, was a very different world from that of Cicero, who thought he could manipulate Octavian (later Augustus) for the purpose of restoring what he thought was the Republic. Ovid represents perhaps the first generation whom Tacitus claimed never knew the Republic.[87] Ovid lived in a Rome dominated by Augustus, but moved outside of the literary circle of Augustus' friend Maecenas, and so presents an opportunity for scholars to investigate certain tensions Augustus' settlement of the civil wars imposed on Roman society. A quick survey of titles of books and articles studying Ovid and his poetry demonstrates an interest in Ovid's relationship to Augustus, to other poets (especially Virgil), and to Rome and its empire. Ovid's cultural memory of the Italian problem of the previous generation and his engagement with Rome and with an Augustus who at least at certain periods stressed *tota Italia* suggest he must have engaged the problem on some level.

As with Cicero, we will find Ovid has little interest in the ideology of *Italia* or in the free Italian people of the past. The *Metamorphoses* is Ovid's exposition of universal history and

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[86] G. Uggheri, "Sulmo," *Brill's New Pauly Online*, <http://referenceworks.brillonline.com/browse/brill-s-new-pauly> [Accessed: January 25, 2017 8:00 am]

[87] Tac., *Ann*., 1.3, "*quotus quisque reliquus qui rem publicam vidisset?*" "How few were left who saw the Republic?"

the teleology of (Roman) empire, and so a reasonable place to look for his approach to the Italian question. In the *Met*. Ovid is careful with *Italia*; he uses the term or its adjectives only five times. In each case he opposes Italy to Greece; *litore Italico* to *Messenia* [a Greek city], *Graia auctor* to *Italicis oris*, *Zancle* [modern Messina] to *Italiae*, and *aequor Ionium* to *Italiam*.[88]

Ovid's account of the foundation of the city Croton provides an especially instructive case. Numa abandons Rome to wander Italy, and stumbles upon the Greek city. His first reaction is to seek an explanation: why is there a Greek city in Italy?[89] A satisfactory answer requires fifty lines and ends with a repetition of the question, ending the possibility of argument.[90] The entire episode presents the Greek as out of place in Italy, something requiring an explanation. That explanation does not rely on any natural process, but on the intervention of the god Hercules, who miraculously effected the settlement of Croton in fulfillment of his own prophesy. The impression Ovid leaves is that Italy and Greece are separate entities and only the supernatural can bring the two into contact.

Ovid is more willing to use other ethnic markers. Etruria or its adjectives appears five times; Rutulians, three times; Rome, fourteen times; Latium, thirteen times, Ausonia, nine times, and Sabines, five times. This, in combination with the opposition of Italy and Greece,

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[88] Ovid, *Met*., 14.17, "*...litore in italico, Messenia moenia contra...*"15.09, "*Graia quis Italicis auctor posuisset in oris...*" 15.59-60, [answering the question of 15.09 – this is the only case in which the opposition to Greece is not explicit] *Talia constabat certa primordia fama esse loci positaeque Italis in finibus urbis*," 15.290-292, "*...Zancle quoque iuncta fuisse dicitur Italiae*," 15.693-697, "*...deus... modicisque per aequor iuonium Zephyris sectae Pallantidos ortu Italiam tenuit....*"

[89] 15.09-10, "*Graia quis Italicis auctor posuisset in oris moenia….*"

[90] 15.58-59.

produces a unique vision of Italy. Italy exists only in contrast to Greece, while any examination of the peninsula from within reveals stark divisions of geography and ethnicity. Picus is king in Ausonia, Iulus rules over Alba and Latium – separate entities.[91] Ovid's account of the Sabine women is especially noteworthy. Livy treats the same story at length; we will examine that argument in the following chapter. Here I prefer to recall Cicero's discussion of this incident mentioned above; Romulus fights Titus Tatius to a stalemate and a negotiated settlement; Cicero's Sabine Women crying for peace are only an afterthought.

On the other hand, Ovid carefully keeps his Sabines at a distance. The women are entirely absent; we only hear of Sabine *patres*.[92] Ovid establishes a distinction between Roman and Sabine with "The Roman earth was layered both with Sabine bodies and with its own."[93] Ovid's Sabines do not belong in the space they occupy. The two people manage to stop fighting in spite (*tamen*) of their relationships,[94] and when Romulus later gives laws, he gives laws "to two peoples."[95] Not even shared laws and shared government can unite Ovid's

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[91] 14.320, 14.609-610, "*Inde sub Ascanii dicione binominis Alba / resque Latina fuit*." "The under the word of double-named Ascanius were Alba and Latin affairs."

[92] Ovid, 14.775-6, "...*Tatiusque patresque Sabini bella gerunt*...." "Tatius and the Sabine fathers waged war…."

[93] 14.800-801, "*et strata est tellus Romana Sabinis corporibus strata estque suis*." "The Roman earth is layered with Sabine bodies and layered with its own."

[94] 14.801-804, "*generique cruorem sanguine con soceri permiscuit impius ensis, pace tamen sisti bellum nec in ultima ferro decertare placet Tatiumque accedere regno*." "The impious sword mixed the gore of the son-in law with the blood of the father-in-law, nevertheless they settled the war with peace, nor did in the end it please them to contest with iron, and Tatius entered into rule."

[95] 14.805-806, "*occiderat Tatius, populisque aequata duobus, Romule, iura dabas*...." "He killed Tatius, and you, Romulus, gave your two people fair laws."

two tribes; during her apotheosis, Ovid describes Hersile – Romulus' Sabine queen – as a queen "both of the Latin and Sabine kind.[96]

Ovid's final use of *Italia* occurs shortly after Romulus' spear miraculously transforms into a tree. This is an important moment for Ovid's construction of Italy. Marks (2004) argues that the transformation of the spear is part of a series of foundation myths representing the founding of Rome.[97] Marks notes the chronological problem with Romulus' appearance here, but uses the "foundational act" to implicitly link the city and monarchy.[98] I suggest a revision; the tree is not a metaphor for Rome, but for Empire.

Blooming trees are a persistent and rather friendly metaphor for empire. Already in Herodotus the imagery of tree and empire appears. Xerxes dreams that an olive crown he wears sprouts, and the branches grow to shade the entire Earth.[99] It occurs in the Old Testament; Nebuchadnezzar dreams of a great tree "the height thereof reached unto heaven, and the sight thereof to the end of all the earth," which Daniel explicit interprets in imperial language, "It [is] thou, O king, that art grown and become strong: for thy greatness is grown, and reacheth unto heaven, and thy dominion to the end of the earth."[100] Osman, the founder

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[96] 14.832,*"o et de Latia, o et de gente Sabina."* "O race of Latium, and O Sabine race."

[97] R. Marks, "Of Kings, Crowns, and Boundary Stones," *Transactions of the American Philological Association* 134 (2004), p.120, "It is principally through the *hasta romuli* story that Ovid conveys the regal legacy of Romulus' foundational act...."

[98] p. 120-121.

[99] Herodotus, 7.19.1, "ἐδόκεε ὁ Ξέρξης ἐστεφανῶσθαι ἐλαίης θαλλῷ, ἀπὸ δὲ τῆς ἐλαίης τοὺς κλάδους γῆν πᾶσαν ἐπισχεῖν, μετὰ δὲ ἀφανισθῆναι περὶ τῇ κεφαλῇ κείμενον τὸν στέφανον." "Xerxes seemed to be crowned with a branches of olives, and shoots from the olive hold the whole world, and after the crown about his head disappeared."

[100] Daniel 4.11, 22.

of the Ottoman dynasty, is supposed to have dreamed of a tree growing from his navel and covering the world.[101] Even Isaac Asimov made use of the metaphor.[102] Ovid uses the same imagery in Rhea Silvia's dream in the *Fasti*.[103] Ovid's "[larger tree] protected the whole world with weighty branches*"* closely parallels Herodotus' olive crown, whose "sprouts held the whole world." The description of the tree at *Met*. 15.561-564 is less vivid than that of Rhea Silvia's dream; "[the spear] gave unexpected shade of pliant twigs to the wondering people" lacks the imagined extent of "the whole world," but the surrounding narratives of Virbius and Aesclapius places the event in a context of imperial appropriation of Greek gods. In the *Met*., Ovid uses the metamorphoses of Romulus' spear to move, as indeed Marks argues, the reader through history, but he is not merely moving the reader away from rule of kings, but into Roman rule of empire.[104]

In this context of empire, Ovid uses Italy the final time, and sets Italy in relationship to both Greece and Rome. Here Rome, making use of its empire, brings the god Aesculapius to stop a plague. The god, after crossing the Ionian Sea, merely touches Italy before continuing

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[101] R. Lindner, *Nomads and Ottomans in Medieval Anatolia*, (Bloomington: Research Institute for Inner Asian Studies, 1983), p. 37.

[102] I. Asimov, *Foundation,* The Foundation Trilogy, (New York: Doubleday & Co., 1951), p. 27, "However, Mr. Advocate, the rotten tree-trunk, until the very moment when the storm-blast breaks it in two, has all the appearance of might it ever had. The storm-blast whistles through the branches of the Empire even now."

[103] Ovid, *Fasti*, 3.31-34, "*inde duae pariter, visu mirabile, palmae / surgunt: ex illis altera maior erat / et gravibus ramis totum protexerat orbem / contigeratque sua sidera summa coma.*" "Thence two trees, a miracle to see, sprang up: of these one was greater, and heave branches coverd the whole world and the top of the plant touched the stars.

[104] This is a small quibble with Marks' argument, and I think the rest of his analysis stands.

to the center of empire.[105] After this, Italy disappears from Ovid's poem. Ovid celebrates Caesar's conquests and lists the provinces brought under Roman power, "*...populo adiecisse Quirini...*" provinces "subjected to the Roman people."[106] When Aesculapius arrives in at the Tiber island, he explicitly abandons Italy and brings his healing powers to Rome. The benefits of empire fall to Rome, Italy has become what a modern pundit might call a "fly-over state."[107]

Ovid constructs his Italy as something neither Greek nor Roman; neither the center nor periphery of empire, at the same time united in its distinction from Greece and fractured irreconcilably among its various ethnic distinctions. With this construction of Italy's relationship to Rome. Ovid offers his own solution to the problem of Social War. By defining Rome and Italy not in terms of citizenship but in terms of empire, he creates the possibility of a Roman identity capable of excluding citizen Italians. Romans perpetrate and benefit from empire; Italians are excluded from the imperial project.

Ando suspects that constructing a notion of "*tota Italia*" was one of Octavian's projects: "whatever Octavian's options, the absence of Rome and the presence of Italy [at *RG* 25.2] suggests... the possibility that Rome and Roman could be subsumed within the larger categories 'Italy' and 'Italian.'"[108] If this is the case, "Italia" was not, as we have seen in the Italian coinage of the Social War, unique to Augustus. Neither was "Italia" universally

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[105] Ovid, *Met*., 15.697, "*...Italiam tenuit....*"

[106] 15.756.

[107] 15.742-4, "*huc se de Latia pinu Phoebeius anguis / contulit et finem specie caeleste resumpta / luctibus imposuit venitque salutifer Urbi*." "Here the snake of Phoebus, leaving the Latin pine, disembarked and with his heavenly form resumed he brought an end to sorrow and came a bringer of health to the city."

[108] Ando, p. 135.

accepted either before or after Augustus; for Cicero Italy can only be unified under the umbrella of participation in Roman politics, and for Ovid, Italy is defined against the Greek provinces but it cannot be a partner in Rome's empire.

IV. Propertius and Umbria: An Alternative to Rome?

A brief biography of Propertius seems fitting, at least to provide the kind of background we have for the better documented authors we have considered, so far as the sources allow it. *The Oxford Classical Dictionary* provides a brief sketch: Propertius was born some time in the late 50s or early 40s BCE in Assisi and died sometime near the end of the first century BCE. He claimed to have lost some familial land due to Octavian's land confiscations following the Perusine War of 41 BCE, and he appears to have aligned himself with Lucius Antonius and Fulvia, Marc Antony's brother and wife and Octavian's opponents in that conflict.[1] He moved in political circles in Rome despite these Antonian associations. He was friends with the consular family of the Tulli, eventually entered the literary circle of Octavian's friend and minister Maecenas, and seems to have some importance in his home town.[2] Propertius does not seem, however, to have been an enthusiastic supporter of the new regime; Elegy 2.7 celebrates the removal of a law, often thought connected in some way to Augustus' moral legislation, which had apparently threatened to present a barrier to the affair between Propertius and his sometime lover Cynthia. This is not to suggest Propertius was impervious to political realities, and like Livy used literature as a distraction from the evils of the present day.[3] The two organizing themes of Propertius' publications, according to O'Rourke (2011) are "*Cynthia prima*" and "*Roma maxima*."[4] Whatever the erotic elegy of

[1] R. O. A. M. Lyne, "Propertius, Sextus," *OCD*[3].

[2] A. Keith, *Propertius: Poet of Love and Leisure*, (London: Duckworth, 2008), pp. 2-3.

[3] "[*U*]*t me a conspectu malorum quae nostra tot per annos vidit aetas… avertam*" as Livy 0.5 puts it.

[4] D. O' Rourke, "*Maxima Roma* in Propertius, Virgil, and Gallus," *Classical Quarterly*, 60.2 (2010), p.470.

Propertius' first book implies for his political engagement, invoking "*Roma maxima*" in the place of the fourth book which Cynthia occupied in the first has some implication for Propertius' relationship to epic (O'Rourke hesitates to offer a conclusion, but merely notes "echoes of Virgil and Gallus (for those who detect them) in the opening lines might push the book's generic identity 'upwards' to and/or 'downwards' from the epic magnitude sounded by the phrase '*maxima Roma'* (4.1.1)").[5]

Whatever Propertius' ultimate attitude toward epic, at least we have a catalog of topics included in this genre from the lines 2.1.18-37: the Theogony, Troy, the Persian emperor Xerxes, Rome ("*prima Remi*"), Carthage, even an apparent reference to an epic of Cicero's on Marius' campaigns.[6] Propertius dismisses these topics out of hand; he would prefer to sing of more recent affairs – songs of the civilian graves ("*civilia busta*") of Philippi, the battle between Caesar's heirs Octavian and Marc Antony, and his assassins Brutus and Cassius, or overturned alters of Etruria ("*everosque focos antiquae gentis Etruscae*"), a reference to the Perusine War between Octavian and Antony's surrogates. Propertius seems to dismiss even these topics on the grounds that one should spend one's time doing what one is good at, and he is good at love, but he nevertheless does write about such things in fits and starts.[7] Already the overturned Etruscan altars appeared in 1.22, and later he will touch on Roman foundation and the pre-Roman legendary past of the place Rome now sits.

The manuscript tradition might charitably be described as a mess. Heyworth's (2007) commentary of almost 700 pages "does not enter into more literary aspects of interpretation

[5] p. 471.

[6] On Cicero's composition regarding Marius, *Div.* 1.106, *Leg.* 1.1.

[7] Prop., 2.1.

except where they seemed to me to bear on textual issues…."[8] This is troublesome; the selection of various readings or conjectures of a particular passage can have significant implications for an investigation into Propertius' ideas of ethnic origins, what it means to be Roman or Italian or some subdivision thereof, and can even, as in 1.16, place an entire historical allusion in question.[9] I am not insensitive to the necessity for good readings, but I have no ambition to add to the discussion of the textual problems Propertius presents.

As in Ovid's poems, Rome in Propertius' work compares favorably to the Greek East. Cynthia considers a trip to Illyria, but due to Propertius' entreaty remains, and considers Rome dearest (1.8A and B, "*carissime*" 1.8B.31). When he imagines the city itself berating him for idleness on account of Cynthia, he defends himself – he imagines her as far from him as northern coast of the Black Sea (1.12). Propertius' discussion of contemporary politics is almost entirely looking toward conflict between Rome and Octavian and the East, whether in the form of Ptolemaic Egypt (3.11) or Parthia (3.4) – reflective of the obsessions of his time, if no deeper significance is implied.[10] Where Rome finds comparison with Italy or locations within it (1.11, 2.19), Italy does not have particular characteristics. Baiae (described in 1.11),

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[8] S. J. Hayworth, *Cynthia*, (Oxford: Oxford University Press, 2007), p. vii.

[9] The problem here is that understanding the significance of "*Tarpeiae… pudicitiae*" requires either some conjecture or the postulation of a lost version of the Tarpeia myth, as B. Breed, "Perugia and the Plots of the Monobiblos," *Cambridge Classical Journal* 55 (2009), pp. 24–48. Heyworth says "*Tarpeiae*" here is "manifest nonsense" and prefers the conjecture "*patriciae."*

[10] There is no question that Propertius insists on using the refusal to write historical epic and his preference of erotic elegy, and as Brian Arkins argues ("Coming to Terms with Augustus," in *An Interpretation of the Poetry of Propertius (c.50-15 B.C.)* (Lewiston: The Edwin Pellen Press, 2005) pp. 61-76) this insistence allows Propertius to voice a certain discontent with Augustan politics, however claims about historical and legendary epic still have to be claims about historical and legendary epic to be valuable as a means of political criticism.

other than some geographical landmarks such as the Lucrine lake, exhibits nothing worth remarking on except that it is corrupt and its shores are an enemy of feminine virtue.[11] Cynthia's countryside retreat at 2.19 lacks any indicator of an actual location except it is outside of Rome. Unlike the resort at Baiae, this rustic resort is notable only for its lack of corrupting influences; no youths, no games, no temples.

Propertius does offer a general description of Italy to tempt home his friend Tullus, who has been abroad in Asia Minor for many years.[12] Hayworth characterizes Propertius' offerings as "some Italian watercourses, the absence of Greek myths, and a few conventional pieties of Roman epic."[13] Propertius describes waters (including an aqueduct) lying to the east and south of Rome: lakes of Mt. Alba, rivers descending from the Apennines. Nothing interesting happens around these waters. Hayworth may be correct to suggest Propertius parodies Virgil here, but still Italy, as represented by Propertius for whatever reasons he might have had, seems an un-noteworthy place.

Propertius is, however, interested in ethnicity, and ethnic histories. He is partial to his own background of Etruria and Umbria, but not entirely exclusive of other backgrounds. We most obviously encounter ethnicity, or at least a place of origin, in Propertius' memories of the Perusine War of 41 BCE. This war occurred while Propertius was a child, almost certainly, yet in 1.21 and 1.22 Propertius recalls, and speaks for, a friend or relative unburied, or at least gone missing (who knows whether an unburied soldier still lives?), fighting against Octavian. The link between politics and geography here is palpable. Propertius in 1.22

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[11] 1.11.7-29, "*corruptas… castis inimica puellis*."

[12] 3.22.

[13] Hayworth, p. 399 reads this poem as a parody of Virgil's *Georgics* 2.136-76.

identifies himself by geography: "*si Perusina tibi patriae sunt nota sepulcra*..." - the Perusine tombs of our fatherland. "*Patria*" here acts halfway as Cicero intended when he commented on every municipal Roman's two fatherlands. It is the *patria* of affection. To the best of my knowledge Propertius never expresses the other half of Cicero's meaning, duty to Rome. This is, I think, the key to Propertius' notion of Roman identity. It is weak. He laments the "Roman strife" ("*Romana… discordia*") assaulting the citizens, to whom he does not designate political affiliations. In 2.1, he recalls in the context of the battles at Mutina (43 BCE) and Philippi (42 BCE), and – in what must be a reference to Antony's death after his defeat at Actium – Alexandria (31 BCE), not Roman but civic graves (*civilia busta*). When describing Octavian's expedition to Actium, Propertius mentions not Rome as the place of Octavian's origin (as recorded by Suetonius, *Aug.*, 5), but Alba Longa, the place of Romulus' birth (4.6). Rome, for Propertius, is a place, but not an identity.

Propertius does not have a cohesive foundation narrative. Livy's is well defined by tradition at least in the first book, from Rome's mythological founding to the establishment of the Republic. Propertius does not have such a neat plan. He does, however, treat Rome's founding several times, as part of his mythological background to his erotic elegies, and finally his eulogies of Augustus. In these ruminations on Rome's antiquity, ethnic distinction, rather than unity as in Cicero, is taken for given. For instance, the Tarpeian gate mentioned in 1.16 evokes thoughts of the war against the Sabines, and hence ethnic divisions. As in Ovid's poetry, areas of the Italian peninsula have different characteristics: Umbria has dangerous nymphs, while the dryads of Ausonia are safe. But Rome does not dominate Propertius' Italy as it does Ovid's; Rome is a setting, and other places such as Umbria can be a locus for emotional attachment.

The idea of Italy, if not independent from Rome at least separate from it, perseveres well into the Augustan period. Cicero was wrong; Rome was not necessary for the idea of an Italian peninsula. Old ethnicities survived; people continued to discuss them. Propertius shows a particular empathy for his own homeland in a way I am not sure Cicero would have approved of, if he had lived to see it. Propertius does not directly engage the questions raised by the Social War, but he does assert a kind of independence from Rome. He cannot imagine himself, however much he lives in the city, without Ancient Umbria in the back of his mind.

Propertius does not tell us much about Umbria, but from other writers we can gather some idea of what might be possible to say about Umbria and its history. The historians whose works treating the Roman absorption of Umbria are Livy, and the Greek historians Diodorus Siculus and Dionysius of Halicarnassus. Diodorus Siculus was a Roman citizen of Greek heritage, from Sicily, living in the late first century BCE. His history was a universal history, an attempt to describe the whole world since the beginning of time. Fifteen of his forty books survive; the rest are in fragments. Italy played a small roll in his history, and where notice of Italy exists, it seems more similar to the annalistic tradition than a narrative history. Dionysius was a Greek who also lived in the first century BCE. His history of Rome began from the earliest times and extended it to the First Punic War (264 – 241), with the stated purpose of explaining the Roman domination of the Greek states. Of his twenty books, nine are complete, and books ten and eleven are nearly so. The other half of his history is fragmentary. There is evidence of few variant traditions. Few families advertised an Umbrian origin in their names. Propertius felt it important to identify himself as a Roman born in Umbria, but this does not seem to evoke any inherent qualities or histories other than

a designation of geography.[14] These obstacles against such a project are not to be overcome: too much of Livy has been lost, and too many other lost sources only receive passing mention in surviving ones.

While considering the pre-Roman organization of the Umbrian population of the fourth and third centuries BCE, Bradley despairs of the usefulness of literature for understanding the development of Umbrian political organization: "We cannot use the dubious literary accounts of the conflicts fought by the Umbrians as an ethnic group in mythical prehistory or the over-schematized references to the 'Umbrian' rebellion in the Social War as genuine evidence…."[15] This despair is characteristic of his treatment of the literary evidence; Livy and Polybius generalize a group of communities into "Umbrians," thereby clumping some people into conflicts in which they did not participate. This kind of elision of communities is systematic of the ancient writers, in Bradley's view; the Greek historians, encountering certain Italians in the fifth and fourth centuries applied the term "Umbrian" promiscuously, and this tradition permeated later authors in a position to have provided more accurate accounts of Umbrians, had they wished.[16] For Bradley's project, a study of ethnic identity in the area called "Umbria" over a one-thousand year period, through the iron age up to the age of Augustus, such caution regarding these literary sources is well founded. However, I am concerned with not the real history of Umbria, but constructions of that history and the relationship those constructions have with the events surrounding the Social War. The

[14] *Cf* the 2nd century Roman historian A. Albinus, claim, preserved in Gellius, 17.21, to be a Roman born in Latium, "*homo Romanus natus in Latio*."

[15] Bradley, p. 122.

[16] p. 27. Bradley does not completely discount the value of these literary accounts; he stresses that they are not describing history as it really happened.

literary sources that treat Umbria's pre-Roman history are entirely appropriate for this problem

What follows is not a critique of the sources in order to construct a narrative, political or military, of Roman domination of Etruria and Umbria, or an attempt to harmonize them. It is rather a catalog of information about the region we know someone like Propertius, an Italian living in Augustan Rome, drawing his self-identity from the region, might have had to work with. This catalog is necessarily limited by the surviving evidence – Cato's history, for instance, would have existed in much more complete form for Propertius than for us of the twenty-first century. And it is provisional: there is no evidence that Propertius in particular, or Umbrians generally, made use of the Roman and Greek historians in forming their self-identity.

In the surviving Roman histories, Umbria has significance in two periods: the first is during Rome's expansion through Etruria and the central Appennines, the second is during the Carthaginian general Hannibal's invasion of the late third century. This has much to do with the chance survival of some portions of histories over others, especially Livy's. Livy's first ten books, covering the period from the Trojan War to Rome's wars against its local Italian neighbors, the Aequi, Etruscans, Volsci, and Samnites. When Livy's account disappears, during his description of the Third Samnite War (298 BCE – 290 BCE), the Umbrians, allies of the Samnites, have taken the defensive, but still remain in opposition to Roman hegemony.[17] Dionysius of Halicarnassus' second decade, which covers the period between the Decemvirate (451 BCE) and the Pyrrhic War (280-275 BCE) is almost entirely lost; the fragments in the Loeb edition comprise a single volume, compared to the six

[17] Livy, 10.27.

volumes of the first decade. Because of the nature of Roman historiography (and perhaps ancient history generally), the interest of the authors is almost entirely military; few individuals appear and almost all of them Roman; authors show little concern for Umbrian politics or political divisions. Dionysius, because his point of interest is ethnicity or at least ethnic origins, is the exception.

Dionysius provides some interesting re-evaluation of his received information regarding Umbrians. He believed Umbrians to be very ancient inhabitants of Italy, and to predate Aborigines ("Ἀβοριγῖνες" is Dionysius' Greek term), whom Dionysius considered to be Greek immigrants, but whom other unnamed authors, he says, believed to be the original, autochthonous inhabitants of Latium.[18] He presents this opinion in opposition to those who might rush to think Aborigines were descendants of Umbrians, and hence not descendants of Greek refugees following the disruption of the Trojan War. Likewise, he notes that many unnamed Greeks in the past had elided the several ethnicities – even Romans! – into the name "Tyrrhenian," out of a lack of familiarity with Italy.[19] Dionysius mentions an example of something like this phenomenon in relation to the Sabines. He notes that one Zenodotus wrote that Sabines were in origin Umbrians who had migrated from the region around Reatine.[20] Dionysius prefers Cato's account of the Sabines, that they are descended from Spartans; a sensible choice for someone setting out to establish the Hellenic *bona fides* of

[18] Dion. Hal., *Ant. Rom*., 1.9-1.10, 1.13.

[19] 1.29.

[20] 2.49. Zenodotus is not included in Cornell's edition of fragments, though this reference to Zenodotus is preserved as Cato F50.

Rome's origins.[21] We will return to this later. Dionysius also notes a sort of dance he calls a *sicinnis*, apparently an impersonation of satyrs performed at funerals, which cannot possibly (he says) have originated among any Italian tribe like the Ligurians or Umbrians, but is in origin Greek, though discussing the evidence for that, would bore the reader (in his opinion) beyond justification.[22] Both Livy and Dionysius reveal hints of an old tradition or traditions about Umbrians that saw them as active over a wider geographical range than the Augustan historians found credible. These hints also reveal a possible cultural influence of Umbrians, at least in the matter of satyr imitation, on traditional practices at Rome.

Direct affirmative statements about Umbrians are also few and far between. In the surviving books of Livy's second pentad, they appear only in books nine and ten, and in conjunction with other Italian ethnic opponents of Roman expansion. Livy first describes Umbrians as potential allies of Rome against Etruscans defeated at Sutrium in 310 BCE.[23] A later Roman victory at Mt. Ciminius (some 30 miles northwest of Rome) allowed Romans plunder that territory, and neighboring populations, including Umbrians, resented their behavior. Direct Roman engagement with Umbrians occurred the following year. The conflict was brief; Rome anticipated an attack on the city with a march against the Umbrian army on its own territory. Livy describes a battle in which almost no fighting occurred, and the Umbrian coalition against Rome collapsed shortly afterward. Aside from Roman actions against what Livy describes as bandits at the end of the fourth century, Umbria remained relatively peaceful. In 299 BCE the Umbrian city Nequinium, modern Narni, about sixty

[21] Dionysius is explicit about this point at 7.70.

[22] 7.72.

[23] Livy, 9.36 ff.

miles north of Rome, was taken without a fight and a Roman colony established there as Narnia. Some Umbrians joined Etruscans and Samnites and Gallic mercenaries in a coalition against Rome in 296 BCE. This coalition was sufficiently threatening that Livy hesitantly records a letter that the consul Appius Claudius, appointed to deal with the Etruscans, Umbrians, and Gauls in the north, sent to Volumnius, his colleague in office, already busy with a war against the Samnites in the south, asking for help.[24] Livy's concern with this incident revolves around the politics of two consular armies operating in the same theater, and his sketch of the conflict between the two consuls raises the question of whether two consular armies were necessary. Despite defeat at the hands of the two consuls, the coalition in this instance remained active, and gave Livy an occasion to describe territorial squabbles between Rome's leading generals. The coalition imposed a serious defeat on Rome the following year, though Livy's sources disagree about the ethnic contingent of the victors, whether Umbrians or Gauls.

Only the battle of Sentinum (295 BCE), and the disputed account of Umbrian participation in that battle, remains before Livy's text vanishes. Livy provides an account of forces opposing the Roman generals Fabius and Decius. Livy notes that unnamed authorities included Umbrians in this list, but in his own account they are conspicuously absent both from the battle proper and from a planned attack on the Roman camp supposed to be carried out during the battle along with the Etruscans who had also been allotted this task. Instead,

[24] 10.18 ff.

in Livy, the Umbrians fell back to defend their own territories from a second Roman invasion under Fulvius and Postumius near Clusium.[25]

We know from the *Periochae,* summaries of the lost books of Livy, that Livy discussed a defeat of Umbrians in book fifteen, along the founding of the colonies of Beneventum and Ariminium. Livy's surviving account resumes with the books dealing with the Second Punic War. These books contain almost no reference to Umbria, other than communicating a vague notion of area. We learn of troops carelessly marched into Umbria and lost (22.8), a siege of a Roman colony at Spoletum (22.9), and a defeat of Carthaginian reinforcements near Narnia (27.50). In Livy, Scipio Africanus names one Umbrian, Atrius, as a ring leader in the famous mutiny against him at Sucro, in the Iberian peninsula in 206 BCE (28.27).

Harris recognizes the Battle of Sentinum (295 BCE) as a "literary confection;"[26] and it appears to be the central pin for Livy's entire narrative of the Third Samnite War. Livy's description of the battle and events leading up to it include a prodigy, deserters and informants, varying fortunes of Rome's two commanders, and a *devotio* (a ritual sacrifice-by-combat of a general to ensure victory for his army) to boot. The surviving consul, Fabius, celebrated a triumph over Etruscans, Samnites, and Gauls.[27] Events leading up to the campaign include a vestige of the Conflict of the Orders: Publius Decius, a plebeian, complained about the assignation of Etruria to the Patrician Fabius, a larger coalition against Rome than expected, and a compromise in which both consuls operated in Etruria for the

[25] Livy's account of the planning for this battle and the battle itself comprises chapters 10.27-30.

[26] Harris, p. 73. The point of Livy's narrative is to praise the consul Fabius.

[27] Livy, 10.30.

year. Livy, as Harris notes, is struggling against his sources here; different authors mention different details, such as the various peoples involved in particular actions, the times of the year the various commanders set out from Rome, to what destinations, and the numbers of casualties.

To me, the curious point in Livy's narrative of these wars that culminate in the Battle of Sentinum is how weak Umbrian opposition to Rome appears. Livy makes the Umbrian city Camertes a Roman ally during the Ciminian campaign of 310 BCE, promising to provide supplies and troops for Fabius' actions in the Ciminian Wood. The following year Umbrian opposition, raised in protest of Roman pillage of their fields, collapsed almost without a battle at Fabius' approach; Livy describes the prisoner count as exceeding the casualty count, and the southern Umbrian city Ocriculum received into Roman friendship.[28] Livy, as noted above, makes Umbrians absent from Sentinum, and they were not included in Fabius' triumph.

If one were looking for a basis for a militant Umbria of the past, the one point that Livy allows is the region of Materina agitating against Fabius' army in 309 BCE, which ended in the disastrous non-battle near Mevania.[29] Even this looks at best like the Umbrian threat is misplaced. In Livy's account, action against the Samnites the previous year had been concluded by the dictator Papirius Cursor, who celebrated a triumph for his victory, while the consul Fabius won a victory at Perusia against the Etruscans, and also celebrated a triumph. The following year the consuls Fabius and Decius both won victories in Samnium and Etruria. This is the context in which Livy narrates the Umbrian uprising. Umbria's total

[28] 9.41.

[29] 9.41.

potential manpower (as Livy would have it), along with much of the recently pacified Etruria, threatened an attack directly on Rome itself, rather than dealing with the army Rome had under Decius in their vicinity. Decius was sufficiently alarmed to beat a hasty retreat to Rome, and at Rome, remembering the Gallic sack of nearly a century earlier, the people ordered Fabius to abandon his war against the Samnites and march against Umbria. Upon meeting the Umbrians near Mevania, Fabius encouraged his troops with what Livy renders in indirect speech, to the effect that these Umbrians were a mere loose end to the earlier war and should be dispatched easily. The battle was a nearly bloodless victory.

Livy leaves two impressions with this brief description of a military campaign. The first is the depth of Roman trauma left from the Gallic occupation of Rome nearly a century earlier (traditionally dated to 390 BCE); and the second, Fabius' military acumen in judging the Umbrian threat to be nothing more than the rump end of the already settled war in Etruria. Both of these are themes Livy repeatedly addresses, and Fabius becomes perhaps the central character for Livy's narrative of the Third Samnite War. There is little in this material to build an understanding of Umbrians as almost anything but apathetic about Roman hegemony.

Dionysius of Halicarnassus provides some material. I have already noted his claim that Umbrians were very ancient inhabitants of Italy. In his surviving books, he places them among legendary peoples like Pelasgians and Aborigines, who participated in the mythical migrations around and into Italy before the time of the Trojan War. Like Livy, Dionysius provides no named individuals, and even less information about Umbrian customs or internal politics. Umbrians for Dionysius form the base population into which his successive waves of Greek settlers migrate; the displaced peoples becoming gradually the ancestors of the

various people with whom Dionysius was familiar his own day. Dionysius is careful to state that some areas have always, or until just recently, been in Umbrian hands; a Pelasgian invasion of the mountain country of Italy had to be abandoned in the face of Umbrian opposition, for instance.[30] Dionysius also mentions Umbrian success against Ligurians.[31] He records one curious variant tradition passed down from Zenodotus, which he rejects in favor of Cato's account. In this tradition, one group of Umbrians renamed themselves "Sabines" and became the Sabines that later formed Rome's first ethnic infusion.[32] Aside from these two points (that Umbrians are very old, and that perhaps Sabines descended from Umbrians), we are left with almost nothing. Dionysius either ignores Umbrian participation in the Third Samnite War, or that portion of his text is lost, and the battle of Sentinum with it.[33] That narrative, as far as it survives, recounts the actions of the consul Postumius in the year 305 BCE in south-central Italy around Cominium and Venusia.

Other historians provide little help. In what little survives of his books in this period, Diodorus Siculus mentions the war, but only Umbrians if they are included in "the other allies."[34] Polybius in his brief notice of the battle of Sentinum does not mention even these

[30] Dion. Hal., *Ant. Rom*., 1.19.1.

[31] 1.22.4-5.

[32] 2.49.

[33] Dion. Hal., *Ant. Rom*., 17 and 18; the same events comprise book 10 of Livy.

[34] Diod. Sic., 21.6,"τῶν ἑτέρων συμμάχων."

other allies, but only the Gauls and Samnites.[35] Pliny the Elder supplies little information; Greeks believed Umbrians to be the oldest inhabitants of Italy, perhaps antediluvian.[36] Among the Roman authorities whom Dionysius of Halicarnassus mentioned (whose fragments exist in Tim Cornell's 2013 recent edition), nothing is preserved regarding Umbrians. The loss of Cato's history on this matter is particularly grievous. Judging from the surviving fragments of his second book, in which he described Rome's neighboring tribes, any comments on the Umbrians he made would have been full of origins (as the name of his text implies) and stereotypical information upon which someone like Propertius might have drawn.[37]

The information about Umbrians surviving in the Late Republican or Augustan sources is, as Bradley noticed, completely devoid of characterization. There are no hints of a lost tradition, except that Umbrians might have contributed to Rome's artistic output, or that Sabines are perhaps Umbrians in origin. All that is left is that they are old. Propertius did not exploit any of these three traits when he identified himself as Umbrian at the beginning of his fourth book. He seems unaware of any possible contradiction between claiming at the same time to be the Roman Callimachus (a Greek poet of the third century BCE famous for his rejection of epic) and the scion of Umbria; they are not ideas in conflict.

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[35] Polyb., 27.2; Harris, p. 72 proposes that Polybius, in his brief narrative, may easily have passed over the involvement of Etruscans and Umbrians here.

[36] Plin., *HN*, 3.14.

[37] For instance, Cornell, ed. *The Fragments of the Roman Historians*, (Oxford: Oxford University Press, 2014), Cato F33 says Gauls pursue warfare and rhetoric, while F34 says Ligurians are deceitful.

In his book on ethnicity in Republican Rome, Farney notes little interest in Umbrians as an ethnic group from which an ambitious Roman might derive his heritage. Some qualities were borrowed from Etruscan stereotypes; Farney mentions Catullus calling Umbrians "plump" and Etruscans "obese."[38] He suspects Umbrians came to share stereotypical characteristics with neighboring Etrurians, perhaps the Romans saw Umbrians as corrupted by them.[39] The preferred heritage for Romans of Apennine origin, Farney argues, was Sabine, as the Umbrian Gaius Calvisius Sabinus, consul of 39 CE demonstrates by the use of the ethnic "Sabinus" in his name.[40]

Nevertheless, a number of people did advertise an Umbrian heritage in their names. Kajanto, in his study of Latin *cognomina*, includes Umbrian names with Etruscan in his statistics (that is, names deriving from Latin geographical terms associated with Umbria and Etruria. He excludes non-Latin names from his study). Together he has 47 Etruscan and Umbrian names derived from Etruscan and Umbrian ethnics.[41] A number of these indicate tribal or regional origin, some, specific towns.[42] Only five names deriving from *Umbria* occur, and three of these are of the same family. It does not seem that Umbria carried connotations, even antiquity, that Roman politicians would wish to advertize in their name.

Farney argues that some ethnics did signal inherited qualities, positive and negative. Unlike Umbrians and Etruscans, Romans of Latin and Sabine descent (or those who wished

[38] Farney, p. 139, on Catullus, 39.

[39] p. 192.

[40] p. 215.

[41] I. Kajanto, *The Latin Cognomina*, (Helsinki: G. Bretschneider, 1982), p. 44 table 5.

[42] pp. 188-190.

to be seen as such) who achieved relatively minor political appointments to boards for the operation of mints could advertize their ethnic heritage on coins, or advertize the heritage of their patrons. These coins could signal associations with regional cults, with traits like *virtus*, or with participation in legendary genealogies.[43] Farney suggests that the lack of Etrurian and by conflation Umbrian advertisement of ethnicity has much to do with the poor repute of the people.[44] We have already seen Umbrians and Etruscans associated with larger than appropriate size; a reputation for luxury accompanies this accusation, or rather the size is the result of overindulgence in luxury. The association begins with our oldest sources and continues throughout Classical Antiquity. The early Greek estimations of Etruscan luxury are compounded by its association with monarchy in Rome's legendary history. Farney suggests that, following Tarquinius Priscus' example, many Romans of Etruscan background altered their names to assimilate to Latin culture.[45] If he is right that Umbrians were conflated in reputation with Etruscans, and that Etruscans were contemned for stereotypical luxury, there is little reason for authors such as Livy to investigate traits and habits of Umbrians, since they are assumed to be the same as Etruscans.

This possibility that Etruscans and Umbrians have been conflated raises an interesting problem. Dionysius of Halicarnassus dismissed Zenodotus' derivation of Sabines from Umbrians with the greater authority of Cato the Elder, who claimed Sabines were descended from Spartans. Dionysius did not dismiss Zenodotus' claims with evidence Cato had about Umbrians, but rather on evidence about Sabines. Cornell's commentary in his *Fragments* is

[43] Farney, *passim*.

[44] I follow here Farney, pp. 125-178.

[45] pp. 148-149.

no help here; he is rather interested in solving the apparent contradiction between this fragment (F50) and the following fragment with regards to Sabine origin.

After reading Cato's fragments, I am surprised to see no surviving fragment of Cato which engages Umbrians. Cato mentions Ameria, which Pliny placed in the context of the Augustan sixth region of Italy, which included Umbria, but without direct mention of Umbria or Umbrians.[46] This, given Nepos' summary of the *Origines,* is quite a shocking omission by Cato. Nepos says Cato's second and third books recounted the origins of each of the states of Italy.[47] Bradley treats this as part of a continuity of Umbrian identity that survives into the Augustan period in the person of Propertius,[48] but the only connection between Cato's comment on Ameria and Umbria is Pliny's placement of Ameria in Augustan Italy's sixth region, which Cato could not have possibly known about. Two possible conclusions to consider with this set of information: either interest in Umbria as an historical region had declined to such an extent that no passage Cato wrote specifically about Umbria interested anyone enough to preserve it, or that Cato did not recognize Umbria as a unified area with its own history, but rather wrote about the various communities that came to be encompassed by Umbria in the Augustan settlement, or included his comments on Umbria in his comments of Etruria. Bradley only mentioned Cato three times in his history of Umbra, twice in relation to Ameria, and he relies on this reference to argue that Cato investigated the traditions of individual Umbrian states.[49] Neither of the possible solutions supports Bradley's claim of a

[46] Plin., 3.14.114. This is F55 in Cornell's edition.

[47] Nepos, *Cato*, 3.3; "*secundus et tertius unde quaeque civitas orta sit Italica….*"

[48] Bradley, p. 243.

[49] All three citations in Bradley are pp. 47, 199, and 242.

continuous Umbrian identity of which Romans were conscious from the period of the middle Republic into the Augustan era.[50]

For Bradley, "the conventional picture" is that over the course of the first century BCE Italians ceased to think of themselves as of any ethnicity other than Roman – offers Cicero's famous claim to *duae patriae* as evidence supporting this position, nevertheless he argues that "Umbrian" identity had always had a weaker claim than even more local identities to start with.[51] "Umbrian" identities formed as a response to contact with Rome through institutions such as roads that reoriented economies, and the army, in which allies served in ethnic contingents.[52] The result of these interactions with Rome, in Bradley's view, was cohesive Umbrian identity that first-century BCE Umbrians were able to project into the past: "The Umbrians had a well-defined historical identity, with three common themes emerging in the various sources: they were always said to be indigenous to Italy; they were seen as one of the oldest Italian peoples; they reputedly occupied a much greater territory in an earlier period…."[53]

Bradley is right in his evaluation of the common themes of Umbrian history preserved in the sources, but to call it a "well-defined historical identity" is a stretch, compared to the florid traditions of other ethnicities including foundation narratives, eponymous founders,

[50] Bradley, p. 234.

[51] pp. 190-192.

[52] p. 193 ff.

[53] p. 241.

traditional rituals such as the "sacred spring" responsible for the proliferation of Sabine-descended people in southern Italy, as Dench (1995) has shown.[54]

Propertius mentions Umbria in two poems; 1.20 and 4.1. Bradley's claim that "a collective Umbrian identity survives as a concept in the minds of both Roman writers and 'natives' of the region (Propertius straddles the categories)…" justifies reproducing Propertius' text in Latin and translation here.[55] The text and translation is Goold's in the 1990 Loeb edition:

> What is my rank, whence my lineage, and where my home,
> Tullus, you ask in our eternal friendship's name. If you know
> Perusia, grave of our countrymen who fell in the days of Italy's
> agony, when discord at Rome took hold of her citizens – soil of
> Etruria, especially to me do you bring grief, for you have borne
> the abandoned limbs of my kinsman with not a handful of earth
> to cover his poor bones – there neighbouring Umbria,
> bordering on the plains below, a country rich in fertile fields,
> gave me birth.[56]

4.1 is a longer poem, and so I have excerpted the bit in which Propertius mentions Umbria. The context of the passage is one of praise for Rome's legendary foundations (perhaps complicated by a postscript – a matter that has greater import for Propertius' Augustan alignment than for his understanding of ethnicity); he mentions the origins of some

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[54] Dench (1995), *passim*.

[55] Bradley, p. 243.

[56] Prop., 1.22 "*Qualis et unde genus, qui sint mihi, Tulle, Penates, / quaeris pro nostra semper amicitia. / si Perusina tibi patriae sunt nota sepulcra, / Italiae duris funera temporibus, / cum Romana suos egit discordia civis−/ sic mihi praecipue, pulvis Etrusca, dolor, / tu proiecta mei perpessa's membra propinqui, / tu nollo miseri contegis ossa solo − proxima supposito contingens Umbria campos / me genuit terris fertilis uberibus.*"

of Rome's institutional buildings and festivals, as the Curia, the house of Remus, the ancient tribes, and Rome's antecedents such as Alba and Troy. Propertius proposes to adopt from Ennius the mantle of the poet of Rome's origins and seeks to redirect Ennius' praise toward Umbria:

> Bacchus, give me leaves of your ivy, that Umbria may swell
> with pride at my books, Umbria, the home of Rome's
> Callimachus! Let whosoever descries the citadels that climb
> up from the vale esteem those walls by my genius![57]

In neither of these passages does Propertius invoke the themes of Umbrian history Bradley detects as "well-defined": antiquity or autochthony. In the second passage, the fame of Umbria depends on Propertius' poetry in praise of Rome, not on historical qualities. Propertius' knowledge of Umbrian history is restricted as we see in the earlier poem to the Perusine War of 41-40 BCE. In both cases, this association is not historical, but rather familial; they depend on his place of birth and the site of burial of his family. There is nothing in these poems that indicates Propertius placed importance on an historical Umbrian identity that could claim great antiquity; it is contemporary and personal.

By comparison, let us look again at Cicero's claim of *duae patriae*.[58] "I think by God that there are to fatherlands for that man [Cato] and for all the people of the suburbs, one of nature, another of citizenship…." The context makes clear Cicero is not talking of Latium as a *patria naturae* here; Cicero had just declared his love for Arpinum as one his friend Atticus

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[57] Prop., 4.1.62-66, "*Mi folia ex hedera porrige, Bacche, tua, / ut nostris tumefacta superbiat Umbria libris, / Umbria Romani patria Callimachi! / scandentis quisquis cernit de vallibus arces, / ingenio muros aestimet ille meo!*"

[58] Cic., *Leg*., 2.3 ff., "*Ego mehercule et illi et omnibus municipibus duas esse censeo patrias, unam naturae, alteram ciuitatis*…."

cannot share, because Cicero was born there, while Atticus was not. He noted the antiquity of his family's possessions in the area; his villa had belonged to his father and grandfather. When he declares Arpinum as his country, Atticus posits the counter example of Cato the Elder. Did Cicero mean Cato's true country was not Rome, but Tusculum? Atticus proposes not Latium as the rival of Rome for Cato's affections, but Tusculum, a city as much as Asis was a city for Propertius. The argument could be made that both Tusculum and Rome were Latin cities and so the greater ethnic affiliation was not the source of conflict, but Cicero accepts the analogy to Cato, and Cicero's Arpinum before the Roman conquest in 305 BCE had been Samnite and before that Volscian, a people apparently of Appennine origins related linguistically to Umbrians.[59] Cicero's emotional connections depend on familial, not ethnic associations. He does not employ Latin or any other ethnic set of knowledge of the past to explain his connection. It is recent and specific to his family. In my view, Propertius expresses, if less clearly formulated, the same attachment to place as Cicero. Propertius' attachment is emotional, to the place where his family's remains were buried and to a place he was personally familiar with, not to a constructed ethnic identity projected into the past.

The sources we have for investigating traditions involving Umbrians, their mythical origins, and their political development are frustrating. The Augustan and post-Augustan authors that preserve the earliest information are lost (Livy after the tenth book), fragmentary (Dionysius of Halicarnassus), or distracted (Livy's ninth book; Diodorus Siculus' history generally). Where the surviving sources seem to indicate alternative traditions, we get little out of them. The one authority we might most hope for, Cato the Elder, if my reading of his surviving comment on the origins of Sabines is correct, seems to have neglected Umbrians as

[59] E. Salmon and D. Ridgway, "*Arpinum,*" and T. Cornell, "*Volsci,*" *OCD*[3].

a class for his study, whatever he may have said about the local municipalities that came to comprise the Augustan sixth region that is associated with Umbria.

Conclusion

Claudius had been born in 10 BCE at Lugdunum in Gaul (now Lyon, France) and reached the highest position of Roman government as the most Roman of Romans through his relationship with Augustus. When Claudius delivered his speech to the Senate in 48 CE, he argued against the idea that the Senate should represent a political community of elites that could describe themselves as "Italians" exclusive of the elites of Rome's Gallic provinces. Claudius made the case for inclusion, by referencing Rome's traditions from its foundation, as well as the Senate's current membership that included Romans from provincial *coloniae* such as Vienne and Lugdunum. Italy would remain a special administrative region of the Roman empire until Diocletian (c. 300 CE), but the notion of Italy as a political community lost its force by time of the demise of the Julio-Claudians. In 70 CE, as Tacitus noted, twenty-two years after Claudius' speech, the empire learned that emperors could be made in the provinces, not only at Rome.[1] In that year, four military commanders without connection to Augustus made competing claims to imperial rule that were ultimately mediated through Rome's armies in the provinces, far from the capitol or Italy.

I have argued in this dissertation that the notion of Italy as a political community remained a contested idea among the Roman elite following the reforms of the Social War, which had ostensibly incorporated Rome's Italian allies into the Roman political community. Williams' contention, that Italy around 225 BCE was a community of interest which developed into the political community of Augustus' Italy, fails to account for Italian defections to Hannibal during the Second Punic War and the coalition of the Social War (largely comprised of the same Italian communities). Likewise, the political community that

[1]Tac., *Hist*., 1.4.

Pobjoy argues arose in the Social War under the slogan *Italia* was insufficient to maintain the alliance despite an apparently purposeful campaign to market a common Italian state with the name and capitol of Italia and Italica. The foundation narratives of the Late Republic and early Principate demonstrate a concern for how Italians and Romans might participate in a shared political community, despite the authors of these accounts living in times that had already come to accommodate Italians legally. It was under Augustus that Italy developed its full geographical extent, political administration, and full set of institutions that Kymlicka considers key to constructing nation-states, and that was when Augustus was able to make use of the slogan *tota Italia* in his war against Antony.

One critique Mouritsen levies against the historical tradition of the "Italian question" is the explicit dependence on Appian for a framework. Mouritsen's charge is that Appian (fl. mid-first century CE), who provides the only complete narrative of the events of the Social War, is the product of a post-Social War world, and without contemporary evidence to correct them, scholars have accepted Appian's story without criticism. But it is uncontroversial to read Virgil's foundational epic as commentary on the contemporary Augustan rule at Rome, and reading the foundation narratives of Cicero *et al*. the same way with an eye toward Rome's relationship with its allies provides an insight into some Roman memories of the allies and the Social War within living memory of that war. This is not to claim that Cicero's view for instance of Italians, either explicitly stated as in his comment about Italians fighting to be received into Roman citizenship and not to destroy it, or implicitly, as his description of Romanizing Sabines in his foundation narrative, should be preferred to Appian's narrative. Cicero certainly seems to be coloring at least his account of the aims of Italians in the Social War. But it does show that the Italian Question remained a problem for Cicero in the decades

following the war. Livy and Ovid, in similar ways, express different understandings of the former Italian allies. Instead of a view of the Italian Question set by an imperial Roman context in which the allies are incorporated into the state and have been for some time, these foundation narratives come from Romans in the middle of the process that formed Appian's context.

If it is true that Appian's view of the Social War and the Italian Question – that is, that a politically unified Italy is a teleological result of Roman and Italian history – is an artifact of an Italy already united that has unduly influenced scholarship, the foundation narratives of the Augustan period present a glimpse of that teleology in formation, while the narrative was still contested. Cicero's *de Re Publica* stresses the role assimilation played in incorporating Sabines and the Tarquin line into Rome, and the need to accept Roman institutions as the basis for legitimate rule. Livy, likely born shortly after the political issues of the Social War were settled by including the Italians in the census of 70 BCE, lived through Caesar's and Augustus' co-option of Italian elites into the Senate. Livy stressed not assimilation, but familial relationships as the basis for political inclusion. The absorption of the Sabines into the Roman state is the solution to a just but distasteful war: the Romans had harmed the Sabines by carrying off their women, but by the same act became family, justifying political union. It is also an insecure solution, as Livy's original Romans plot to undo the unification of the two people. These different takes on the same mythological story, if they can be read as reflections of the authors' contemporary political situations, show very different understandings of the Italian role in government. Livy's Sabines are not secure in their teleological end as Roman citizens. This view of the relationship between Romans and Italians makes perfect sense for the middle first century BCE, especially for Livy as the

status of Cisalpine Gaul became uncertain upon the assassination of Caesar. These represent an intermediary between the "Italian Question" of the period before the Social War, as reconstructed variously in scholarship, and the narrative of Appian.

These competing treatments of the history of Rome's free allies roughly coincides with the organization of Italy as a political and geographic unity. It is in this period that the boundaries of Italy are finalized, the administration of Italy regulated, the roads administered, the Senate inclusive of Italians in large numbers, veteran colonies established in large numbers. Roman armies, even if they did not act as strong engines of assimilation before the legal reforms following the Social War as Pfeilshifter claims, must have taken on that role once the allied contingents had become integrated into the legion proper. Romans had built roads for centuries; Augustus established regular administration, upkeep, and security for their use. This new ease and security of travel enabled interconnection of local markets, as similar roads would later in France.

The development of the idea of Italia as a political entity accelerates right about the same time as Augustus made his contributions to Rome's nation-building institutions. Whatever common interests the Italian cities recognized because of the Gallic invasion of 225 BCE were insufficient to hold their alliance with Rome together against an apparently unstoppable Hannibal a decade or so later, and the sources preserve nothing like the slogan "Italia" that might have encouraged the spread of consciousness of these common interests. I have not tried here to settle the matter of what grievances drove Rome's Italian allies to rebel in 90 BCE, or to establish their ultimate goal in waging war against Rome, but it seems indisputable that the use of *Italia* on the rebel coinage and the establishment of *Italica* as a federal capitol indicates among the elite a community of common interest, if it had not

already existed, had developed and become named. I have argued that despite the elite's propagation of this idea on their coinage, the large percentage of Roman coins – always many times the number of Italian coins in a given hoard – are evidence against the idea that Italian coins circulated because people subscribing to an ideology of "Italia" circulated them. The idea of "Italia" as a political community was also insufficiently compelling to prevent Rome from anticipating or quickly quelling rebellion among Etruscan and Umbrian communities. The idea had been named though, and the foundation narratives Romans produced after the Social War reflect attitudes about Italians and their relationship to Rome in that context; an Italian alternative to Rome had been tried, and the absorption of Italians into the Roman state had to be explained and justified mythologically. A generation or so after the Social War Augustus was able to leverage "Italia" as a political community for his own legitimacy, or at least claimed to do so in the *Res Gestae*. Italy at that point was operating with all the institutions associated with nation-building. Three decades later Claudius had to argue against an Italian, not Roman, Senate, and the passage of his motion to incorporate the elite of Gaul into Roman government is perhaps a recognition that the Roman political community had by then grown beyond Italy.

I hope by setting the ancient Roman state against theories of modern state-formation and nationalism explicitly we can judge to what extent terms like "nation" are convenient or misleading while escaping the accusation of being trapped in a frame. I do not think the use of foundation narratives to illuminate the historical context in which authors composed those narratives is particularly innovative or unorthodox. Explicitly raising the issue of the nation-state to help understand the first-century BCE may cause readers concern, and the apparent reliance of the scholarly tradition about the Social War on the nineteenth-century nationalist

frame is Mouritsen's other important critique. Previous work on the Social War is open to this criticism because of the haphazard way scholars have referred to nations and nationalism, such as using the term "nation" as a convenient if not entirely correct term to indicate changes over time. At the same time Smith's critiques of "modernist" theories of nationalism have some cogency to them, and measuring the modern phenomenon against the ancient state can help clarify the problems Smith highlights.

The critiques of the scholarly tradition regarding the Italian Question Mouritsen presented have been taken seriously by Pobjoy *et cetera*, and deservedly so. I have presented two approaches that I hope placate these critiques: the use of foundation narrative, particularly regarding the relationship of Romans and their allies, as reflective of those relationships when the narratives were written, and the use of theories of nationalism that have moved beyond the nineteenth-century German nationalist frame. How to advance this line of research presents a problem. Scholarship since Mouritsen's research has emphasized the diversity of the Italian population and the diversity of their reasons and goals for the Social War, a move I appreciate. On the other hand, maintaining that emphasis on diversity risks losing sight of the forces that created a more-or-less unified Italy that could produce Appian's teleological history of the Social War and that scholars have found sufficiently similar to a nation-state that they have at least allowed themselves to be seen to fall into the trap of anachronism.

The simpler problem is the first, how to appropriately emphasize the diversity or unity of Italy. Some decades separate the Augustan narratives I have examined and Claudius' speech to the Senate in 48 CE. Charting the development of the narrative of the Social War can continue along the lines I've engaged here. We can make predictions: as we encounter

authors more and more removed from the Social War into the first century CE, if Mouritsen is right, we should expect to see foundation narratives increasingly approach Appian's teleological attitude to the Italian Question. Cornell's *Fragments of the Roman Historians* presents a neat corpus for pursuing this line of research. Likewise, foundation narratives predating the Social War such as Cato's, to the extent they are still extant, should look less like Appian's narrative. The nearly complete loss of Roman narrative history before Cicero, though, makes this second direction a doubtful one. I am convinced that the fragments of the first book of Cato's history, the book that contained his narrative of Rome's foundation, are preserved to a large extent because of their value as grammatical example rather than historical interest. Recovering the authentic second century BCE narrative is a hopeless endeavor. The other historical accounts from the second century BCE also exist in fragmentary states for similar reasons.

The greater problem is the problem of the nationalist frame historians have brought or seem to have brought or have been accused of bringing to the history of the Italy of the first century BCE. I have attempted to address this criticism by consciously and specifically invoking the theorists that I claim as my influences in my analysis of the ancient period, and noting where I find their models fail. Nevertheless as I noted in the introduction to this dissertation, some may find this treatment merely palliative. If, as Keaveney noted in his response to Mouristen, Mouristen could accuse Mommsen of holding the views of a nineteen century German and so Keaveney could accuse Mouritsen of holding the views of a twentieth-century Dane, then I must also be producing the analysis of a twenty-first century American. Keaveney, when he used Mouritsen's own critique against him, meant to demonstrate a certain pointlessness in that line of thought, because it can be levied against

any scholar in any time. But that is not a satisfactory defense. Keaveney's defense merely moves the nationalist frame through time, while I suspect the real force of Mouritsen's critique is the historian's reliance on the nationalist frame in the first place.

The nationalism problem is compounded by the lack of an ancient model that deals with the Italian Question. The notion of *sympoliteia,* used of Greek federated cities with shared institutions and citizenship, was available to Cicero, who nevertheless felt compelled to construct his *duae patriae* model of municipal Roman citizenship. When Livy and Appian try to describe the difference between competing groups of citizens after the reforms of the Social War, the best descriptors they come up with are "new" and old": we hear of "Italian peoples" with "recently bestowed citizenship," "*Italicis populis… civitatum… nuper datum*," in Livy *Per.* 86, and "new citizen" and "old ones," "νεοπολίτας… τῶν ἀρχαίων," in Appian, *BC*. 1.6.49. These are not very sophisticated descriptions of the relationships between citizens.

The Romans did not have a good set of terms to describe what happened to the population of Italy in the first century BCE, and scholars do not either. It seems to me that where scholars imply or invoke "nation-state" or related terms, it is as analogy to an ancient Roman dynamic and context for which we do not have appropriate terms (and the terms used are problematically anachronistic). I suspect Anthony Smith has moved in the right direction with his ideas of *ethnies* and perennial nations, but these, as I noted earlier, are still ill-fitting to the Italian situation, because the Italian political community was a multi-ethnic community. Mouritsen might object that Smith still operates inside the nationalist frame. Nevertheless Smith has usefully asked how a marker or set of markers a people possessed became politically charged at different times, and that seems to be the key to understanding

how Italia operated as a political slogan at different times in the Middle-to-Late Republic and Augustan Rome.

Italy traditionally held a privileged place in Rome's empire. Until C. Gracchus in late second century BCE proposed re-founding Carthage as a Roman colony, all those settlements fell within Italy; Italy supplied the Praetorian Guard; in the Augustan settlement it was free of legions; for a very long time emperors, even if born in the provinces, descended from Italian families. My analysis in this dissertation has been focused on how Romans after the Social War viewed their Italian past, but the Social War did have potential consequences for the provinces. In contrast to Cicero's view of the rebel allies, that they really just wanted to be Roman, the author of the *Rhetorica ad Herrenium* (contemporary with Cicero) thought empire, not citizenship, was the point of conflict: "they [the Italians]... were trying to transfer the rule of the world to themselves…."[2] In the event, Rome defeated its allies and preserved control of its empire. When Italians participated in the government of the empire, they did so as Roman soldiers, proconsuls, and legates, but also as members of a multi-ethnic state. Claudius extending partnership in government beyond the elites of the Italian ethnicities might be, if not a teleological inevitability, a logical consequence of Italians and Romans negotiating the conclusion of the Social War.

[2] *Rhet. Her.*, 4.13, "*illi imperium orbis terrae... ad se transferre tantulis viribus conarentur....*"

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